

1. Agendas

Documents: [CA6.12.12.PDF](#), [PM6.12.12.PDF](#)

1.I. Revised Conference Meeting Agenda

Documents: [CA6.12.12.PDF](#)

2. Ordinance - Second Reading

Documents: [2358-12 BOND ORDINANCE.PDF](#), [2358-12 ATTACHMENT - BLOCK-LOT 6.12.12.PDF](#)

3. Resolutions

Documents: [119-12 SEWER CHARGE CANCELLATION.PDF](#), [115-12 RAFFLE LICENSES-6-12-12.PDF](#), [116-12 ENGLISHTOWN SYNAGOGUE.PDF](#), [117-12 AGREEMENT BETWEEN WO AND ALLIED RISK.PDF](#), [117-12 AUTHORIZING AGREEMENT WITH WO AND ALLIED RISK - SORIERO.PDF](#), [118-12 MEMORANDUM OF AGREEMENT - NOCC AND WO.PDF](#), [118-12 RESOLUTION APPROVING MOA - NATIONAL OVARIAN CANCER COALITION AND WEST ORANGE.PDF](#), [120-12 EXECUTIVE SESSION TAX APPEAL 6.12.12.PDF](#), [121-12 RESOLUTION APPROVING CDS FOR EXPERT SERVICES.PDF](#), [122-12 REIMBURSEMENT OF GARBAGE-PRIVATE COMMUNITY 6.12.12.PDF](#)

3.I. 122-12 Attachment

Documents: [122-12 ATTACHMENTS.PDF](#)

3.II. Resolution 120-12 - Revision 1

Items listed for discussion revised.

Documents: [120-12 EXECUTIVE SESSION 6.12.12 \(2\).PDF](#)

MEMO

TO: Members of the Township Council, Mayor Parisi
Mr. Sayers, Mr. Gross, Mr. Trenk, and Mr. Kayser

FROM: OFFICE OF THE MUNICIPAL CLERK

COUNCIL COMMITTEE CONFERENCE MEETING Council Chambers-66 Main Street, West Orange, NJ

June 12, 2012

6:30 P.M.

- **Discussion(s):**
 1. Nomination of Council President
 2. Council Liaison for the 2012-2013 Term
 - Planning Board
 - Local Assistance Board
 - ERSCHA (Degnan House)
 - WOSCHA (John P. Renna House)
 - Insurance Fund Commission (2)
 - Joint Meeting
 - Downtown West Orange Alliance
 - West Orange Municipal Alliance Committee
 - West Orange Arts Council
 - Open Space & Recreation Committee
 - Neighborhood Preservation Program

7:00 P.M.

- Public Meeting

8:00 P.M.

- **ABC Hearing** - Hearing and Resolution on Applications for Renewal of Plenary Retail Consumption, Distribution and Club Licenses for the 2012-2013 License Term

ABC

477-12 Hearing on Renewal for 2012-2013 License Term
Huguitos (Special Conditions)

478-12 Hearing on Renewal for 2012-2013 License Term
Zen (Special Conditions)

479-12 Hearing on Renewal for 2012-2013 License Term
AMC Entertainment International (Special Conditions)

480-12 Hearing on Renewal for 2012-2013 License Term
Essex House (Special Conditions)

481-12 Hearing on Renewal for 2012-2013 License Term
Angelitos LLC (Special Conditions)

482-12 Hearing on Renewal for 2012-2013 License Term
DJF – 4SIXTY6 (Special Conditions)

483-12 Resolution Authorizing a Place to Place Transfer (Expansion of Premises)
for License 0722-33-009-010 **Suzy Que's, LLC** t/a Suzy Que's

AGENDA
June 12, 2012
Council Chambers-66 Main Street
West Orange, NJ
7:00 p.m.

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. A notice of this meeting was mailed to the Star Ledger and the West Orange Chronicle on December 7, 2011. A notice of this meeting was also posted on the Bulletin Board in the Municipal Building, West Orange and filed in the office of the Municipal Clerk of the Township of West Orange on December 7, 2011.

Statement of Decorum

In all matters not provided for in subsection 3-15.1 and except upon consent of the Council President, each person addressing the Council pursuant to this subsection shall be required to limit his or her remarks to five (5) minutes, and shall at no time engage in any personally offensive or abusive remarks.

The chair shall call any speaker to order who violates any provision of this rule.

(1972 Code § 3-15.2)

Roll Call – Councilman Anderton Councilman Cirilo, Councilman Krakoviak, Councilwoman McCartney, Council President Spango, (Mayor Parisi)

2. The Pledge of Allegiance

3. General Matters Pending

4. Public Comment

***5. Minutes**

***6. Communication**

***7. Reports**

***8. Bills**

9. Ordinances on Second and Final Reading

- a. 2358-12 Bond Ordinance Providing an Appropriation of \$4,184,305 for Reconstruction of the Sanitary and Storm Sewerage Systems and Associated Reconstruction and Repaving of the Roadways within the Llewellyn Park Section of the Township Directing a Special Assessment of the Cost Thereof in the Amount of \$3,684,305 and Authorizing the Issuance of \$3,684,305 Bonds or Notes

***10. Ordinances on First Reading**

***11. Resolutions**

- a. 115-12 Resolution Authorizing Raffle Applications
- b. 116-12 Resolution Authorizing Retention of Tax Sale Certificate for 37 Buckingham Road, West Orange
- c. 117-12 Resolution Authorizing an Agreement between the Township of West Orange and Peter Soriero d/b/a Allied Risk Management Sevices, 3 Cypress Point Lane, Monroe Township, NJ 08831 for an Amount NTE \$20,000. Annually
- d. 118-12 Resolution Authorizing a Memorandum of Agreement between the Township of West Orange and the National Ovarian Cancer Coalition for the Downtown Classic 5K Run on September 23, 2012
- e. 119-12 Resolution Authorizing the Tax Collector to Cancel Sewer Charges to the Listed Taxpayers Pursuant to Easement and Right of Way Agreement between the County of Essex and the Township of West Orange
- f. 120-12 Resolution Authorizing an Executive Session to Discuss Matter s of Litigation and a Tax Appeal
- g. 121-12 Resolution Authorizing the Engagement of Computer Design and Services (CDS) for technical computer expertise Required by the Township to Assist in Evaluating the Claims in Litigation in the Amount of \$3,000.

- h. 122-12 Resolution Authorizing Reimbursement Costs for Private Garbage Collection for the Period of January 1, 2011 through December 31, 2011 to Private Home Owner Associations/Individuals

12. ABC Hearing

- a. 476-12 Hearing and Resolution on Applications for Renewal of Plenary Retail Consumption, Distribution and Club Licenses for the 2012-2013 License Term
- b. 477-12 Hearing on Renewal for 2012-2013 License Term
Huguitos (Special Conditions)
- c. 478-12 Hearing on Renewal for 2012-2013 License Term
Zen (Special Conditions)
- d. 479-12 Hearing on Renewal for 2012-2013 License Term
AMC Entertainment International (Special Conditions)
- e. 480-12 Hearing on Renewal for 2012-2013 License Term
Essex House (Special Conditions)
- f. 481-12 Hearing on Renewal for 2012-2013 License Term
Angelitos LLC (Special Conditions)
- g. 482-12 Hearing on Renewal for 2012-2013 License Term
DJF – 4SIXTY6 (Special Conditions)
- h. 483-12 Resolution Authorizing a Place to Place Transfer (Expansion of Premises) for License 0722-33-009-010 **Suzy Que's, LLC** t/a Suzy Que's

13. Adjournment

GARBAGE REIMBURSEMENT
January 1, 2011 through December 31, 2011

VENDOR #	PERIOD	APPLICANT	COST (OR EST.) PER UNIT		REIMBURSEMENT	TOTAL
			UNITS	FOR PERIOD		
297625	January 1, 2011 through December 31, 2011	LLEWELLYN PARK 1 PARK WAY LLEWELLYN PARK	173	\$ 245.79	42,520.81	42,520.81
122585	January 1, 2011 through December 31, 2011	ESSEX GREEN VILLAS	80	144.51	11,560.40	11,560.40
190210	January 1, 2011 through December 31, 2011	HILLTOP VILLAS	36	144.51	5,202.18	5,202.18
202900	January 1, 2011 through December 31, 2011	300-306 MAIN STREET	25	144.51	3,612.63	3,612.63
990652	January 1, 2011 through December 31, 2011	SKYLINE COURT CONDOMINIUM AS	4	144.51	578.02	578.02
104200	January 1, 2011 through December 31, 2011	EAGLE RIDGE	408	144.51	58,958.04	58,958.04
450345	January 1, 2011 through December 31, 2011	RIDGE ROAD ASSOCIATES	14	144.51	2,023.07	2,023.07
82140	January 1, 2011 through December 31, 2011	ANITA DECESARE 15 NORTH COBANE	1	144.51	144.51	144.51
456701	January 1, 2011 through December 31, 2011	PAUL AND MARYANN ROSES 40 EAGLE RIDGE WAY	1	144.51	144.51	144.51
480550	January 1, 2011 through December 31, 2011	IRV & SANDRA R. SMITH 42 EAGLE RIDGE WAY	1	144.51	144.51	144.51
468534	January 1, 2011 through December 31, 2011	L.M. SAPHIRE 1 MERRYWOOD DRIVE	1	144.51	144.51	144.51
30020	January 1, 2011 through December 31, 2011	CONSTANCE BAUMAN 15 MERRYWOOD DRIVE	1	144.51	144.51	144.51
56460	January 1, 2011 through December 31, 2011	D. CESTONE 24 EAGLE RIDGE WAY	1	144.51	144.51	144.51
996541	January 1, 2011 through December 31, 2011	BETTY KULLMAN 16 MERRYWOOD DRIVE	1	144.51	144.51	144.51
		TOTAL	747		\$125,466.68	\$125,466.68

Certification of Solid Waste Cost
January 1, 2011 through December 31, 2011

Refuse Collection Services per unit per month	\$ 4.50	
Bulky Trash Collection per unit per month	<u>\$ 3.94</u>	
Total Collection Fee per month based on bid contract	\$ 8.44	
 Total Collection Fee per year per unit		\$ 101.28
 Tipping Fee @ Essex County Resource Recovery Facility	\$ 86.45	
Ton of Solid Waste per unit per year*	0.5	
 Total Tipping fee per unit per year		\$ 43.23
 Total Solid Waste Cost per unit per year		\$ 144.51

* 1/2 ton of solid waste per unit is determined as follows: on several occasions the Township had solid waste collected from various apartment and condominium complexes weighed at a weighing station to determine the average amount of tonnage per unit.

John K. Sayers
Business Administrator

Date: 6/5/2012

MEMO

TO: Members of the Township Council, Mayor Parisi
Mr. Sayers, Mr. Gross, Mr. Trenk, and Mr. Kayser

FROM: OFFICE OF THE MUNICIPAL CLERK

COUNCIL COMMITTEE CONFERENCE MEETING Council Chambers-66 Main Street, West Orange, NJ

June 12, 2012

6:30 P.M.

- **Mayor Recognitions**

7:00 P.M.

- Public Meeting

8:00 P.M.

ABC

- 476-12 - ABC Hearing - Hearing and Resolution on Applications for Renewal of Plenary Retail Consumption, Distribution and Club Licenses for the 2012-2013 License Term

477-12 Hearing on Renewal for 2012-2013 License Term
Huguitos (Special Conditions)

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AMC Entertainment International (Special Conditions)

480-12 Hearing on Renewal for 2012-2013 License Term
Essex House (Special Conditions)

481-12 Hearing on Renewal for 2012-2013 License Term
Angelitos LLC (Special Conditions)

REMOVED-NO TAX CLEARANCE- (482-12 Hearing on Renewal
for 2012-2013 License Term-**DJF – 4SIXTY6** (Special Conditions))

483-12 Resolution Authorizing a Place to Place Transfer (Expansion of Premises)
for License 0722-33-009-010 **Suzy Que's, LLC** t/a Suzy Que's

BOND ORDINANCE #2358-12

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$4,184,305 FOR RECONSTRUCTION OF THE SANITARY AND STORM SEWERAGE SYSTEMS AND ASSOCIATED RECONSTRUCTION AND REPAVING OF THE ROADWAYS WITHIN THE LLEWELYN PARK SECTION OF THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, NEW JERSEY, DIRECTING A SPECIAL ASSESSMENT OF THE COST THEREOF IN THE AMOUNT OF \$3,684,305 AND AUTHORIZING THE ISSUANCE OF \$3,684,305 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3(a) of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Township of West Orange, New Jersey (the "Township") as general and local improvements. For the said Improvements there is hereby appropriated the amount of \$4,184,305, such sum includes the sum of \$500,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey Statutes, constituting Chapter 2 of Title 30A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$3,684,305 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount of \$3,684,305 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for the sanitary and storm sewerage systems and associated reconstruction and repaving of the roadways, over, about and alongside of said systems, within the Llewelyn Park section of the Township, as described in Schedule A attached, including all work and materials necessary therefor and incidental thereto, and as shown on and in accordance

with the plans and specifications on file with the Township Clerk and hereby approved.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$3,684,305.

(c) The estimated cost of the Improvements is \$4,184,305 which amount represents the initial appropriation made by the Township.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 6:

Notice is hereby given to the owners of all lands and parcels of real estate benefited by the improvements described in Section 3(a) hereof and affected by the improvements described therein, that the Township intends to make and levy special assessments against all such lots and parcels of real estate in an aggregate amount not exceeding \$3,684,305. Such special assessments shall be made and levied in the manner provided by law and shall be as nearly as possible in proportion to and not in excess of the peculiar benefit, advantage or increase in value that the respective lots and parcels of real estate shall be deemed to receive by reason of the improvement. It is expected that the Township will contribute \$0 to the cost of the improvement; however, if the amount of the special assessments as finally confirmed is less than the sum of \$3,684,305, as described in Section 3(a) hereof, then the Township will also contribute the difference to the cost of the improvement.

SECTION 7:

The owner of any land upon which an assessment for the local improvements described in Section 3(a) shall have been made, may pay such assessment in the number of equal yearly installments determined herein, with legal interest on the unpaid balance of the assessment. The first of such installments shall be due and payable two (2) months after the confirmation of the assessment, and each subsequent annual installment and interest shall be payable in each successive year, at such time as the governing body shall by resolution determine, provided any owner of land so assessed shall have the privilege of paying the whole or any assessment or any balance of installments with accrued interest thereon, at one time. In case any such installment shall remain unpaid for thirty (30) days after the time it shall become due and payable, the whole assessment or the balance thereof shall become and be immediately due and payable, shall draw interest at the rate imposed upon the arrearage of taxes in the Township, and shall be collected in the same manner as provided by law for other past-due assessments. Such assessments shall remain a lien upon the land described herein until the assessment, with all installments and accrued interest thereon, shall be paid and satisfied. Notwithstanding anything herein to the contrary, the Township shall have the right to waive default as may be permitted by law.

SECTION 8:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3(a) of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general and local improvements, and a portion of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 30 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$3,684,305 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$352,045 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) The number of annual installments within which the special assessments are to be levied on the lots and parcels of real estate benefited by the improvement is 15.

SECTION 9:

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3(a) of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

SECTION 10:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and interest thereon without limitation of rate or amount.

SECTION 11:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$3,684,305.

SECTION 12:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

SCHEDULE A

BLOCK

LOT

ADDRESS

BLOCK	LOT	ADD LOT	LOCATION
85.01	1		79 MOUNTAIN AVENUE
85.01	1.01	4,4.01	83 MOUNTAIN AVE.
86	7		60 WILDWOOD AVE.
86	8		WILDWOOD AVENUE
86	9		WILDWOOD AVENUE
86	10		50 WILDWOOD AVE.
86	11		WILDWOOD AVE.
86.02	1		40 WILDWOOD AVE.
86.02	2	6	38 WILDWOOD AVE.
86.02	6.01		28 WILDWOOD AVE.
86.02	6.02		32 WILDWOOD AVE
88	1		MAIN ST.L.PARK ENT.
88	42		18 WILDWOOD AVE.
88	45		12 WILDWOOD AVE.
88	47		10 WILDWOOD AVE.
88	48		8 WILDWOOD AVE.
88	49	49.02	6 WILDWOOD AVE.
88	52	51	2 WILDWOOD AVE.
89	41		14 EDGEHILL ROAD
89	41.02		10 EDGEHILL COURT
89	57		2 EDGEHILL ROAD
89	58		4 EDGEHILL ROAD
89	58.02		2 HONEYSUCKLE AVE.
89	58.04		HONEYSUCKLE AVENUE
89	59	59.03	7 EDGEHILL COURT
89	59.04		8 EDGEHILL COURT
89	59.05		2 EDGEHILL COURT
89	59.06		5 EDGEHILL COURT
89	59.07		3 EDGEHILL COURT
89	64		12 EDGEHILL ROAD
89	68		1 PARK WAY
90	2		5 PARK WAY
90	4.01	4,4.02	11 PARK WAY
90	10		21 GLEN AVE.
90	12		27 GLEN AVE.
90	14		3 EDGEHILL ROAD
90	16		5 EDGEHILL ROAD
90	18		1 EDGEHILL ROAD
90	20		7 EDGEHILL ROAD
90	21		11 EDGEHILL ROAD
90	22		15 EDGEHILL ROAD
91	1		LLEWELLYN PARK
92	1		LLEWELLYN PARK
93.01	1		LLEWELLYN PARK
94	2.02	2.05	9 BROOK WAY
94	2.03		3 BROOK WAY
94	2.04		5 BROOK WAY
94	8		10 TULIP AVE.
94	8.01		39 WILDWOOD AVE.

94	12		16 TULIP AVE.
94	12.02		2 FOREST WAY
94	12.03		10 FOREST WAY
94	12.04		20 TULIP AVE.
94	12.05		45 WILDWOOD AVE.
94	12.06		39 WILDWOOD AVE.
94	18	17	1 BROOK WAY
94.01	1	1.01,2.01	2 BROOK WAY
94.01	2		3 WILDWOOD AVE.
94.01	2.06	2.07	6 BROOK WAY
94.01	2.08	2.09-2.14	11 WILDWOOD AVE.
95	1		50 OAK BEND
95	3		2 TREFOIL PASS
95	5		59 WILDWOOD AVE.
95	6		7 FOREST WAY
96	1		28 OAK BEND
96	3	3.03	34 OAK BEND
96	3.01	3.02	38 OAK BEND
97	1		45 OAK BEND
97	2		51 OAK BEND
97	5		110 MOUNTAIN AVE.
97	5.01		92 MOUNTAIN AVE.
97	5.02		100 MOUNTAIN AVENUE
97	5.03		OAK BEND REAR
97	14		90 MOUNTAIN AVE.
97	14.01		66 TULIP AVE.
97	19	24.01	60 TULIP AVE.
97	20		54 TULIP AVE.
97	20.01		27 OAK BEND
97	24.02		33 OAK BEND
97	24.03		TULIP AVENUE
98	1		LLEWELLYN PARK
99	5	5.01	79 TULIP AVE.
99	5.02		75 MOUNTAIN AVE.
99	7		LLEWELLYN PARK
99	7.01		MOUNTAIN AVE.
99	8		73 MOUNTAIN AVE.
99	11		69 MOUNTAIN AVE.
100	1		45 PARK WAY
100	1.01		11 OAK BEND
100	3		49 PARK WAY
100	5		7 OAK BEND
100	5.01		1 OAK BEND
101.01	1.01	16.01	42 GLEN AVE.
101.01	2		52 GLEN AVE.
101.01	5		8 ELM COURT WAY
101.01	6		14 ELM COURT WAY
101.01	6.02	19,22	ELM COURT WAY REAR
101.01	16		40 GLEN AVE.
101.02	1		72 GLEN AVE.

101.02	1.01		GLEN AVE.
101.02	1.02		62 GLEN AVE.
101.02	1.03		88 GLEN AVE.
101.02	1.04	1.08-1.09	90 GLEN AVE.
101.02	1.05		10 OAK BEND
101.02	1.06		80 GLEN AVE.
101.02	1.07		74 GLEN AVE.
101.02	1.10		50 GLEN AVE.
101.02	1.11		1 ELM COURT WAY
101.02	3		5 ELM COURT WAY
101.02	4		9 ELM COURT WAY
101.02	24		24 OAK BEND
101.02	24.01		18 OAK BEND
101.02	24.02		15 ELM COURT WAY
101.02	24.03		41 PARK WAY
102	1	3.03	23 BLOOMFIELD WAY
102	3		89 GLEN AVE.
102	3.01		6 LYNWOOD WAY
102	3.02		93 GLEN AVE.
102	5	7.01,12.01	10 LYNWOOD WAY
102	7		6 OAK BEND
102	7.02		65 PARK WAY
102	12		88 MOUNTAIN AVE.
102	14		14 LYNWOOD WAY
102	21		21 BLOOMFIELD WAY
102	21.01		2 LYNWOOD WAY
103	1		11 LYNWOOD WAY
103	4		86 MOUNTAIN AVE.
103	4.01		17 LYNWOOD WAY
103	10		82 MOUNTAIN AVE.
103	11		84 MOUNTAIN AVE.
103	11.01		8 LONG BRANCH WAY
103	20		14 LONG BRANCH WAY
103	20.01		80 MOUNTAIN AVE.
104	1		10 ROCKY WAY
104	6		ROCKY WAY
104	7		4 ROCKY WAY
104	10		45 MOUNTAIN AVE.
104	10.01		31 MOUNTAIN AVE.
104	10.02		55 MOUNTAIN AVE.
104	10.03		MOUNTAIN AVE.
104	10.04		35 MOUNTAIN AVE.
104	10.05		57 MOUNTAIN AVE.
104	10.31		29 MOUNTAIN AVE.REAR
104	10.32		25 MOUNTAIN AVE.
104	11		LLEWELLYN PARK
105	7.01		MOUNTAIN AVENUE REAR
109	1		1 MOUNTAIN AVENUE
109	3		MOUNTAIN AVE & EAGLE ROCK
109	3.01		5 ROCKY WAY

109	3.03		11 ROCKY WAY
109	3.04		1 ROCKY WAY
112	1		12 ASHLEY ROAD
112	2		8 ASHLEY ROAD
112	3		7 BLOOMFIELD WAY
112	3.01		4 ASHLEY ROAD
112	4		5 BLOOMFIELD WAY
112.01	1		72 MOUNTAIN AVE.
112.01	2		74 MOUNTAIN AVE.
112.01	10.03		MOUNTAIN AVE
112.01	10.04		11 LONG BRANCH WAY
112.01	10.05		MOUNTAIN AVE
112.01	20		1 LONG BRANCH WAY
112.02	1		17 BLOOMFIELD WAY
112.02	1.01		15 BLOOMFIELD WAY
112.02	12		7 ASHLEY ROAD
112.02	16		5 ASHLEY ROAD
112.02	17		3 ASHLEY ROAD
112.02	18		1 ASHLEY ROAD
112.02	19		15 ASHLEY ROAD
112.02	20		11 ASHLEY ROAD
112.02	21		9 ASHLEY ROAD
113.01	1		77 GLEN AVE.
113.01	1.01		75 GLEN AVE.
113.01	2		81 GLEN AVE.
113.01	8		20 BLOOMFIELD WAY
113.01	11	11.01	22 BLOOMFIELD WAY
113.01	13		16 BLOOMFIELD WAY
113.01	15		10 BLOOMFIELD WAY
113.01	17		8 BLOOMFIELD WAY
113.02	1	3,4,62	63 GLEN AVE.
114	26.01		59 GLEN AVE.
114	28.01	26-27	57 GLEN AVE.
114	29		55 GLEN AVE.
114	30		49 GLEN AVE.
114	32	L33	45 GLEN AVE.
114	34		43 GLEN AVE.
114	35		39 GLEN AVE.
114	35.01		41 GLEN AVE.
114	35.02		35 GLEN AVE.
114	35.04		37 GLEN AVE.
114	36		3 HONEYSUCKLE AVE.
114	37		1 HONEYSUCKLE AVE.
114	38		5 HONEYSUCKLE AVE.

RESOLUTION TO HOLD A CLOSED SESSION

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4. et seq.) provides for the exclusion of the public meetings of the governing body during the discussion of certain matters; and

WHEREAS, prior to the exclusion of the public from a meeting of the Township Council it is required that the Council adopt a Resolution stating the general nature of the subject to be discussed and stating as precisely as possible the time when the minutes of the discussion conducted in closed session can be disclosed to the public; and

WHEREAS, this body is about to consider a matter which falls within the purview of N.J.S.A. 10-4-12, and can properly exclude the public from such discussions; now, therefore, be it

BE IT RESOLVED, that the Township Council of the Township of West Orange, now assembled in public session at its regular meeting of May 29, 2012 shall enter into a closed session to consider the following matter(s).

- () 1. Discussion of any material, the disclosure of which constitutes an invasion of individual privacy..
- () 2. A collective bargaining agreement or the terms of provisions of same.
- () 3. Techniques or tactic utilized to protect the safety and property of the public provided that their disclosure could impair such protection.
- () 4. An investigation of violations or possible violations of the laws of the State of New Jersey and/or the Township of West Orange Administrative Code.
- (X) 5. Pending or anticipated litigation or **contract negotiation** in which this body is or maybe a party.
- () 6. A matter falling within the attorney-client privilege to the extent that confidentiality is required in order for the attorney to exercise his ethical duties to this body.
- () 7. Personnel matters.
- () 8. Discussion of any matter which by express provision of Federal law or State statute or rule of Court shall be rendered confidential.
- () 9. Discussion of any matter in which the release of information would impair a right to receive funds from the Government of the United Sates.
- () 10. Discussion of any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- () 11. Deliberations occurring after a public hearing that may result in imposition of a civil penalty or suspension or loss of a license or permit.

More specifically, the Council may discuss in closed session the following topic(s):

NJ DEP, et al. v. Occidental Chemical Corp., et al.

Tax Appeal - 1448 Pleasant Valley Way Assoc.

(the general subject matters) of discussion shall be indicated by a check mark in the appropriate box and shall be more specifically referred to thereafter to the extent such additional disclosure can be made without

compromising the need for confidentiality giving rise to the closed session.

IT IS FURTHER RESOLVED, that the minutes of said discussion shall be made public as soon as the matter under discussion is no longer of a confidential or sensitive nature such that the public interest will no longer be served by such confidentiality.

The foregoing Resolution was duly adopted by the Township Council of the Township of West Orange at a public meeting held on

Motion:

Second:

Vote

Aye:

Opposed:

Karen J. Carnevale
Municipal Clerk

Patricia Spango
Council President

Adopted: June 12, 2012

RESOLUTION AUTHORIZING THE COLLECTOR OF TAXES
TO CANCEL SEWER CHARGES TO THE LISTED TAXPAYERS
PURSUANT TO EASEMENT AND RIGHT OF WAY AGREEMENT
BETWEEN THE COUNTY OF ESSEX AND
THE TOWNSHIP OF WEST ORANGE

WHEREAS, the Township of West Orange entered into an agreement with the County of Essex for easements and necessary right of ways for the construction of a sanitary sewer in South Mountain Reservation, and;

WHEREAS, such agreement provided for the County's annual sewer charge be off set, and;

NOW, THEREFORE, BE IT RESOLVED by the West Orange Township Council that the Collector of Taxes and the Treasurer of West Orange, be, and they are hereby authorized, empowered and directed to cancel the charges due the Township from the taxpayer for the year 2012.

Block	Lot	Name & Address	Amount
157.01	11	County of Essex Mt. Pleasant Avenue	\$ 740.00
163	13	County of Essex Northfield Avenue	\$4,625.00
		Total	\$5,365.00

Karen J. Carnevale
Municipal Clerk

Patricia Spango
Council President

Adopted: June 12, 2012

RESOLUTION

WHEREAS, the following charitable organization(s) have applied for a Raffle License which raffle is to be conducted within the Township of West Orange,

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange, that the Municipal Clerk is hereby authorized to issue a license to conduct a raffle by the following organization (s) at the place (s) and time(s) set opposite their respective name(s):

<u>Organization</u>	<u>Date of Event</u>	<u>Place</u>	<u>RL #</u>
St. Clare's Foundation On Premise 50/50	Aug. 20, 2012	219 Devon Road	6752
St. Clare's Foundation On Premise Tricky Tray	Aug. 20, 2012	219 Devon Road	6753
Partners In Health, Inc. On Premise 50/50	July 24, 2012	Montclair Golf Club	6754
Our Lady of Lourdes	Nov. 10, 2012	Our Lady of Lourdes	6755

Patricia Spango
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: June 12, 2012

RESOLUTION

WHEREAS, Englishtown Synagogue, Inc. owns certain property located at Block 155.13, Lot 14, known as 37 Buckingham Road within the Township (the “Property”); and

WHEREAS, Englishtown Synagogue, Inc. sought an exemption of payment of property taxes for the period October 2006 through December 2008; and

WHEREAS, Englishtown Synagogue, Inc. purchased the property in May 2006; and

WHEREAS, Englishtown Synagogue, Inc. obtained approval from the Zoning Board of Adjustment in May 2008; and

WHEREAS, the Township approved an exemption from payment of property taxes beginning January 1, 2009; and

WHEREAS, the Tax Court initially ruled in favor of the Township with regard to the period from October 2006 through December 2008; and

WHEREAS, on December 6, 2011, the Appellate Division of the Superior Court of New Jersey reversed the Tax Court’s decision because the Property owner’s application met the requirements of the exemption statute; and

WHEREAS, in the interim, the Township’s Tax Collector sold Certificate 1940 to Plymouth Park Tax Services LLC in order to collect the outstanding real estate taxes; and

WHEREAS, pursuant to the applicable statutory requirement, the Township must now redeem the certificate; and

WHEREAS, the Tax Collector has calculated the amount due to the certificate holder at the judgment rate of interest;

NOW, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the Township be and is hereby authorized to redeem Tax Certificate 1940 in the principal amount of \$11,122.82 plus interest at the judgment rate totaling \$671.39 through June 15, 2012, a search fee in the amount of \$12, a recording fee of \$40, sewer fee of \$222.62, and a premium of \$13,500 which has been paid by the certificate holder;

RESOLVED that the Township shall refund to Plymouth Park Tax Services LLC the amount of \$25,568.83 as of June 15, 2012; it is

RESOLVED, that Englishtown Synagogue, Inc. shall remain obligated to pay the sewer amount of \$222.62, which is not exempt and which the lien holder demands for 2011; and it is further

RESOLVED, that a copy of this resolution shall be served upon the certificate holder, the Property owner, the Tax Assessor and Tax Collector.

Patricia Spango
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: June 12, 2012

This agreement is between the West Orange Insurance Fund Commission (WOIFC) and Peter Soriero /DBA Allied Risk Management Services (ARMS) 3 Cypress Point Lane, Monroe Twp, NJ 08831

SECTION ONE: SCOPE OF SERVICES

For the period March 1, 2012 to February 28, 2013, ARMS hereby agrees to serve as a consultant to the West Orange Insurance Fund Commission. The scope of services provided by ARMS is as follows:

Assist the Township of West Orange in identifying its insurable Property & Casualty exposures and to recommend professional methods to reduce, assume or transfer the risk or loss.

Assist Township of West Orange in understanding the various insurance policies and coverage currently in place.

Determine if current coverage is adequate or excessive.

Create a spreadsheet of all current policies with limits, premiums, renewal dates and other pertinent information. The purpose of this spreadsheet is to keep the Township informed of coverage and renewal dates.

Advise the Town's insurance brokers of expected dates of renewal proposals. This will improve the Town's ability to analyze proposals with ample time prior to renewal.

Review Certificates of Insurance from contractors, vendors and professionals when requested by the Township

Assist the Township in the preparation of its annual insurance budget.

Review in house procedures for claims reporting and review claims on a quarterly basis to determine trends and problem areas.

At the request of the Town attend any Insurance Fund meetings.

SECTION: TWO COMPENSATION

The WOIFC agrees to pay the ARMS the sum of \$20,000 per year for the services listed in Section 1. Payments to be made in equal quarterly installments in the amount of \$5,000 on June 1, 2012, September 1, 2012, December 1, 2012 and March 1, 2013. Payment is based on the availability of funds for the covered period.

SECTION THREE: BILLING PROCEDURES

ARMS shall submit the proper vouchers to the WOIFC in accordance with applicable law and regulations

SECTION FOUR: STATUS OF CONSULTANT

It is hereby agreed that ARMS is an independent contractor and is not considered an employee of the Town of West Orange during the performance of his duties as outlined in Section One. The Town of West Orange and the WOIFC agree to defend the consultant in the event a claim or lawsuit is brought against the Town or the WOIFC for any actions involving the administration of the insurance programs. It is also understood that the Town of West Orange and the WOIFC will cooperate fully with the consultant in the performance of his duties as outlined in Section One.

SECTION FIVE: NON ASSIGNMENT

Consultant is prohibited from assigning this agreement to any other parties without the written authorization from the Town or the WOIFC.

SECTION SIX: TERM, TERMINATION and JURISTITION

The term of this agreement is for one year commencing on March 1, 2012 and ending on February 28, 2013. It is understood that the continuation of this contract is pending the availability of funds in subsequent fiscal years and if the funds are not available in subsequent fiscal years than this agreement shall be canceled. The terms of this agreement are subject to the laws of the State of New Jersey and any disputes between the parties shall be heard in the applicable court of law. This agreement may be cancelled with thirty (30) days written notice by either party.

In witness whereof, the signatures below verify the acceptance of the terms of this agreement by the parties involved. Signed on this day in the month of in the year 2012

WITNESS

PETER SORIERO

WITNESS

FOR WEST ORANGE

RESOLUTION

WHEREAS, the Township Insurance Commission has recommended the continued retention of Allied Risk Management Services (“Allied”) as a consultant to the Insurance Commission regarding insurance and related issues; and

WHEREAS, the Insurance Commission has previously engaged the services of Allied; and

WHEREAS, the proposed contract annexed hereto shall not exceed \$20,000, payable \$5,000 per quarter.

NOW, BE IT HEREBY RESOLVED that the Township Council of West Orange hereby authorizes the Mayor to enter into an agreement with Allied Risk Management Services not to exceed \$20,000 annually.

RESOLVED that the within award is a professional services contract which need not be subject to the open public bidding laws; and

BE IT FURTHER RSEOLVED that the Municipal Clerk shall cause notice of the within award to be published in accordance with applicable law.

Patricia Spango
Council President

I hereby certify funds are available from:

John O. Gross, Chief Financial Officer

Karen J. Carnevale
Municipal Clerk

Municipal Insurance
ACCOUNT NO.: 62-2010-00-6690-062

Adopted: June 12, 2012

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (hereinafter this "Agreement") is made and entered into as of this _____ day of June, 2012, by and between TOWNSHIP OF WEST ORANGE (the "Township"), having an address of 66 Main Street, West Orange, New Jersey 07052 and the National Ovarian Cancer Coalition ("NOCC"), having an address of 2501 Oak Lawn Avenue, Suite 435, Dallas, Texas 75219.

WITNESSETH

Whereas, the Township, through the West Orange Downtown Alliance, has sponsored the Downtown Classic 5K run along Main Street in West Orange; and

Whereas, the Township has sponsored this run for several years and each year several hundred people have attended; and

WHEREAS, the Township now desires to enter into an agreement that would allow the NOCC to participate in this year's Downtown Classic 5K run, which is scheduled to be held on Sunday, September 23, 2012 (the "Event");

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter contained, the parties hereto agree as follows:

1. The Event shall be held on Sunday, September 23, 2012 from approximately 9:30 a.m. to 1:00 p.m.
2. The Township shall and hereby does agree to share with the NOCC, after subtracting any direct expenses incurred by either the Township and/or the West Orange Downtown Alliance, seventy percent (70%) of the net profits generated from the Event. The remaining thirty percent (30%) of the net profits shall be retained by the Township. It is anticipated that profits will be generated from the registration fee paid by participants of the Event and any donations received by either the West Orange Downtown Alliance or the NOCC, its members or agents. The NOCC shall be entitled to receive an accounting of the money raised from the Event prior to the disbursement of any funds.
3. The NOCC will provide its own publicity and fundraising efforts for the Event in coordination with the West Orange Downtown Alliance. The West Orange Downtown Alliance reserves the right to approve any and all publicity/fundraising material that is distributed in connection with the Event. Any use of the NOCC name, logo, or stationery in mailings, advertising, or for the media shall be pre-approved by the NOCC.
4. The NOCC shall provide a representative who will be available and present at the Event for purposes of assisting the West Orange Downtown Alliance with any fundraising, public relations and/or marketing issues.

5. The NOCC shall provide proof of liability insurance with a minimum combined single limit of One Million (\$1,000,000.00) dollars for bodily injury and property damage. The NOCC shall provide an original Certificate of Insurance to this effect upon signing this agreement. The NOCC's policy shall name the Township of West Orange and the West Orange Downtown Alliance as additional insureds.

6. The NOCC agrees to defend, indemnify, hold and save harmless the Township and the West Orange Downtown Alliance, its respective members, officers, representatives, employees from and against any and all claims, suits, damages, judgments and expenses (including reasonable attorneys fees) resulting wholly or in part from any acts or omissions by the NOCC or the NOCC's agents, employees, guests, licensees, invitees, assignees or successors during the Event.

7. It is understood and agreed that all understandings and agreements heretofore had between the Township and the NOCC regarding the Event are merged in this Agreement, which alone fully and completely expresses their agreement, and that the same is entered into after full investigation, neither party relying upon any statement or representation not embodied in this Agreement, made by the other.

8. This Agreement may not be changed or terminated orally. It shall only be modified by written agreement.

9. The Parties hereby acknowledge that the Agreement shall be construed, interpreted and enforced in accordance with the laws (excluding conflicts of law principles) of the State of New Jersey, and before the courts of the State of New Jersey.

10. This Agreement may be executed in several counterparts, which shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

TOWNSHIP OF WEST ORANGE

Dated: _____

Signed: _____

NATIONAL OVARIAN CANCER COALITION

Dated: _____

Signed: _____

RESOLUTION

WHEREAS, the Township of West Orange (“Township”), through the West Orange Downtown Alliance, sponsors the Downtown Classic 5K run along Main Street in West Orange; and

WHEREAS, the Downtown Classic 5K run is scheduled to take place this year on Sunday, September 23, 2012 from approximately 9:30 am until 1:00 pm; and

WHEREAS, the Township desires to enter into an agreement that would allow the National Ovarian Cancer Coalition to participate in this year’s Downtown Classic 5K run; and

WHEREAS, through an agreement the Township would share with the National Ovarian Cancer Coalition, after subtracting any direct expenses incurred by either the Township or the West Orange Downtown Alliance, seventy percent (70%) of the net profits generated from the Downtown Classic 5K run, with the remaining thirty percent (30%) of net profits to be retained by the Township; and

WHEREAS, the National Ovarian Cancer Coalition has agreed to provide its own publicity and fundraising efforts for the event in coordination with the West Orange Downtown Alliance; and

WHEREAS, the National Ovarian Cancer Coalition has also agreed to provide the Township with proof of liability insurance and to indemnify and hold the Township harmless from any claims, suits, damages, or judgments resulting wholly or in part from any acts or omissions of the National Ovarian Cancer Coalition or their agents, employees, guests, licensees, invitees, assignees or successors during this year’s Downtown Classic 5K run; and

WHEREAS, annexed hereto is a copy of the Memorandum of Agreement to be executed by the Township of West Orange and the National Ovarian Cancer Coalition;

NOW, THEREFORE BE IT RESOLVED, by Township Council of the Township of West Orange that the Mayor be and hereby is authorized to execute the annexed Memorandum of Agreement; and it is further

RESOLVED, that the Municipal Clerk shall attest to the Mayor's signature on the annexed Memorandum of Agreement.

Karen J. Carnevale
Municipal Clerk

Patricia Spango
Council President

Adopted: June 12, 2012

RESOLUTION TO HOLD A CLOSED SESSION

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4. et seq.) provides for the exclusion of the public meetings of the governing body during the discussion of certain matters; and

WHEREAS, prior to the exclusion of the public from a meeting of the Township Council it is required that the Council adopt a Resolution stating the general nature of the subject to be discussed and stating as precisely as possible the time when the minutes of the discussion conducted in closed session can be disclosed to the public; and

WHEREAS, this body is about to consider a matter which falls within the purview of N.J.S.A. 10-4-12, and can properly exclude the public from such discussions; now, therefore, be it

BE IT RESOLVED, that the Township Council of the Township of West Orange, now assembled in public session at its regular meeting of May 29, 2012 shall enter into a closed session to consider the following matter(s).

- () 1. Discussion of any material, the disclosure of which constitutes an invasion of individual privacy..
- () 2. A collective bargaining agreement or the terms of provisions of same.
- () 3. Techniques or tactic utilized to protect the safety and property of the public provided that their disclosure could impair such protection.
- () 4. An investigation of violations or possible violations of the laws of the State of New Jersey and/or the Township of West Orange Administrative Code.
- () 5. Pending or anticipated litigation or **contract negotiation** in which this body is or maybe a party.
- () 6. A matter falling within the attorney-client privilege to the extent that confidentiality is required in order for the attorney to exercise his ethical duties to this body.
- () 7. Personnel matters.
- () 8. Discussion of any matter which by express provision of Federal law or State statute or rule of Court shall be rendered confidential.
- () 9. Discussion of any matter in which the release of information would impair a right to receive funds from the Government of the United Sates.
- () 10. Discussion of any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- () 11. Deliberations occurring after a public hearing that may result in imposition of a civil penalty or suspension or loss of a license or permit.

More specifically, the Council may discuss in closed session the following topic(s):

Tax Appeal - 1448 Pleasant Valley Way Assoc.

(the general subject matters) of discussion shall be indicated by a check mark in the appropriate box and shall be more specifically referred to thereafter to the extent such additional disclosure can be made without

compromising the need for confidentiality giving rise to the closed session.

IT IS FURTHER RESOLVED, that the minutes of said discussion shall be made public as soon as the matter under discussion is no longer of a confidential or sensitive nature such that the public interest will no longer be served by such confidentiality.

The foregoing Resolution was duly adopted by the Township Council of the Township of West Orange at a public meeting held on

Motion:

Second:

Vote

Aye:

Opposed:

Karen J. Carnevale
Municipal Clerk

Patricia Spango
Council President

Adopted: June 12, 2012

RESOLUTION

WHEREAS, the Township of West Orange (“Township”) is currently a party to certain litigation captioned Township of West Orange v. Link Communications, Ltd., Docket No. L-9667-10 (the “Litigation”), which is pending before the Superior Court of New Jersey, Law Division, Essex County; and

WHEREAS, the Litigation involves the Township’s claims against Link Communications, Ltd. (“Link”) arising out of the Township’s purchase of certain mobile computer and video equipment for the Township’s police vehicles, and Link’s installation thereof; and

WHEREAS, the Township asserts in the Litigation that Link’s installation and maintenance of certain mobile computer and video equipment in Township police vehicles was faulty; and

WHEREAS, the Township Attorney’s office represents the Township in connection with the Litigation; and

WHEREAS, the Township Attorney’s office requires the retention of an expert with technical computer experience to assess the installation and operation of Link’s equipment; and

WHEREAS, Computer Design and Services (“CDS”) possesses the technical computer expertise required by the Township to assist in evaluating the claims in the Litigation; and

WHEREAS, the Township Attorney recommends approval of the retention agreement, as set forth in a letter to CDS, which is Attachment “A” hereto;

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Township Attorney is hereby authorized to engage CDS in connection with the Litigation on the terms and conditions set forth in the annexed engagement letter; and be it further

RESOLVED, that \$3,000 shall be allocated for CDS’s engagement; and it is further

RESOLVED, that the Municipal Clerk shall cause notice of this retention to be advertised in accordance with any applicable law.

**Karen J. Carnevale,
Municipal Clerk**

**Patricia Spango
Council President**

I hereby certify funds are available from:

ACCOUNT NO.:

John O. Gross, Chief Financial Officer

Adopted: June 12, 2012

RESOLUTION

WHEREAS, Township Ordinance #1115-92 grants to this Township Council the discretion to reimburse the owners of one-family residential dwellings who do not receive garbage collection services from the Township of West Orange for the costs in an amount equal to the actual cost of private garbage collection or equal to the estimate of the cost to the Township if they were to provide said services, whichever is lower; and

WHEREAS, this council desires to reimburse those home owner associations or individuals; who have complied with the terms of Ordinance # 1115-92, for the cost of private garbage collection for the period of January 1, 2011 through December 31, 2011; and,

WHEREAS, there is attached hereto and made a part hereof a report of the Business Administrator detailing the names of those who have filed or are expected to file for reimbursement and the sum of monies the applicants are entitled to for the period of January 1, 2011 through December 31, 2011; and,

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the private home owner associations or individuals set forth in the attached report of the Business Administrator be paid the sums set forth therein as reimbursement for their costs of private garbage collection period of January 1, 2011 through December 31, 2011; and,

NOW, THEREFORE BE IT RESOLVED that the Business Administrator and/or Chief Financial Officer issue the appropriate checks to comply with this Resolution as soon as is feasible.

Karen J. Carnevale
Township Clerk

John O. Gross
Chief Financial Officer

Patricia Spango
Council President

01-2010-00-8902-140
Account #

Adopted: June 12, 2012