

1. Conference Meeting Agenda

Documents:

[CA 4.20.21.PDF](#)

2. Public Meeting Agenda

Documents:

[PM 4.20.21.PDF](#)

3. Resolution(S)

3.I. 64-21

Documents:

[64-21 AUTHORIZING EXECUTION AND RECORDING OF SATISFACTION OF MORTGAGE FOR THE PROPERTY AT 54 FOREST HILL ROAD.PDF](#)
[64-21 EXHIBIT A.PDF](#)

3.II. 65-21

Documents:

[65-21 REBATE PAYMENT FINAL JUDGMENT TAX COURT.PDF](#)
[65-21 EXHIBIT - TAX COURT JUDGMENT - 2021-03-29 BLOCK 96 LOT 3 - 2020.PDF](#)

3.III. 66-21

Documents:

[66-21 RESOLUTION STREET IMPROVEMENTS 2020 PHASE II.PDF](#)
[66-21 - 2020 STREET RESURFACING LIST PHASE II.PDF](#)
[66-21 - BID RESULTS STREET IMPROVEMENTS 2020 PHASE II.PDF](#)

3.IV. 67-21

Documents:

[67-21 AUTHORIZING TAX APPEAL 769 ASSOCIATES AND BLUESCAPE ALTERA NJ 4-12-2021 4829-5861-1173 V.1.PDF](#)
[67-21 EXHIBIT A TO RESOLUTION FOR 769 NORTHFIELD.PDF](#)

3.V. 68-21

Documents:

[68-21 AUTH. AWARD SNOW REMOVAL REIMBURSEMENTS 2020.PDF](#)
[68-21 SNOW REMOVAL REIMBURSEMENT 2020.PDF](#)
[68-21 SNOW PLOW SUMMARY 2020.PDF](#)

3.VI. 69-21

Documents:

69-21 AUTH. AWARD OF REIMBURSEMENT LLEWELLYN PARK LEAF AND
OBSTRUCTION 2020.PDF
69-21 COPY OF LEAF OVERTIME TOTALS 2020.PDF

3.VII. 70-21

Documents:

70-21 AUTH. REIMBURSEMENT OF LIGHTING.PDF

3.VIII. 71-21

Documents:

71-21 INSPECTION SERVICES GREENMAN - PEDERSEN INC ROCK
SPRING ROAD NEIGHBORHOOD.PDF

3.IX. 72-21

Documents:

72-21 AGREEMENT WITH FIRE SUPERIOR OFFICERS.PDF
72-21 EXECUTED_REVISED_MOA BETWEEN TOWNSHIP OF WEST
ORANGE AND FSOA LOCAL 228.PDF

3.X. 73-21

Documents:

73-21 RESOLUTION CHANGE ORDER NO. 1 AND CHANGE NO. 2 AND
FINAL - PLEASANT VALLEY WAY PARKING LOT RECONSTRUCTION.PDF
73-21 CORRESPONDENCE - PLEASANT VALLEY WAY PARKING LOT
CONSTRUCTION CHANGE ORDER NO. 1.PDF
73-21 CHANGE ORDER DOCUMENT - PLEASANT VALLEY WAY PARKING
LOT CONSTRUCTION CHANGE ORDER NO. 2 AND FINAL.PDF
73-21 CHANGE ORDER DOCUMENT - PLEASANT VALLEY WAY PARKING
LOT CONSTRUCTION CHANGE ORDER NO. 1.PDF

3.XI. 74-21

Documents:

74-21 EXECUTIVE SESSION 4.20.21.PDF

4. ABC Hearing

Documents:

658-21PERSON TO PERSON PLACE TO PLACE-ANCHOR RESTAURANT LLC
TO 2001 PROOF LLC 4.6.21.PDF

Township of West Orange
CONFERENCE MEETING AGENDA
Council Chambers – 66 Main Street
Tuesday, April 20, 2021
Meeting No. 8

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 30, 2020, and published in the West Orange Chronicle on December 10, 2020.

Roll Call – Councilwoman Casalino, Councilwoman McCartney, Councilman Rutherford, Councilwoman Williams, Council President Matute-Brown, Mayor Parisi

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6:30 P.M

- **Area in Need of Rehabilitation – Mayor Parisi and Paul Grygiel**
- **Proclamation – Arbor Day**
- **Discussion: 2021 Budget Hearing Dates**
- **Council Liaison Announcements**
- **Public Meeting – 7:00 p.m.**

PUBLIC MEETING AGENDA

**Township of West Orange
66 Main Street – 7:00 p.m.
April 20, 2021 – Meeting No. 8**

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 30, 2020, and published in the West Orange Chronicle on December 10, 2020.

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 – Councilwoman Casalino, Councilwoman McCartney, Councilman Rutherford, Councilwoman Williams, Council President Matute-Brown, Mayor Parisi

- 1. Pledge of Allegiance**
- 2. Public Comment**
- 3. *Consent Agenda**
- 4. *Approval of Minutes of Previous Meeting – April 6, 2021 Town Council Meeting**
- 5. *Report of Township Officers – None**
- 6. Reading of Petitions and Communications and Bids – None**
- 7. *Bills**
- 8. *Resolutions**
 - a. 64-21 Resolution Authorizing the Township to Execute and Record a Satisfaction of Mortgage for the Property at 54 Forest Hill Road after Receiving Payment of the Balance on the Mortgage from the Owners of the Property (Legal-Moon)**
 - b. 65-21 Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey (Tax Collector)**
 - c. 66-21 Resolution Authorizing a Contract for the Project Street Improvements 2020, Phase II to Cifelli & Son General Contracting, 81 Franklin Avenue, Nutley, NJ 07110 in the amount of \$2,091,766.75 (Lepore)**
 - d. 67-21 Resolution Approving Tax Appeal Settlement for Property at 769 Northfield Avenue, Block 166.15, Lot 9 (Legal-Trenk)**
 - e. 68-21 Resolution Authorizing the 2020 Reimbursement for Services to Private Communities for Snow Removal (Lepore)**
 - f. 69-21 Resolution Authorizing the 2020 Leaf Collection and Obstruction Removal Reimbursement to Llewellyn Park (Lepore)**

- g. 70-21** Resolution Authorizing Financial Reimbursement to Twenty-One Private Communities for the Costs of Street Lighting Pursuant to the Municipal Services Act (Lepore)
- h. 71-21** Resolution Authorizing a Professional Services Contract to Greenman – Pedersen, 301 Gibraltar Drive, Morris Plains, N.J. in the amount of \$9,504.00 for Inspection Services Associated with Road Improvements in the Rock Spring Road Neighborhood (Lepore)
- i. 72-21** Resolution Approving an Amended Memorandum of Agreement between the West Orange Fire Superior Officer’s Association and the Township of West Orange (Gross)
- j. 73-21** Resolution Authorizing Change Order No. 1 and Change Order No. 2 and Final for the Project Pleasant Valley Way Parking Lot Improvement with Zenith Construction Services, Inc., 365 Thomas Boulevard, Orange, NJ 07050 in the amounts of \$39,764.26 and \$8,102.52 (Lepore)
- k. 74-21 Resolution Authorizing an Executive Session to Discuss a Matter of Litigation and Contract Negotiation Specifically Crestmont Country Club**

9. Ordinances on Second and Final Reading-None

10. Ordinances on First Reading-None

11. Pending Matters/New Matters/Council Discussion

12. ABC Hearing

- a. 658-21** Resolution Authorizing a Person to Person and Place to Place (Extension of Premises) transfer of Plenary Retail Consumption License No. 0722-33-031-007 from Anchor Restaurant, LLC, 290 Watchung Ave., West Orange, NJ 07052 to, 2001 Proof, LLC, 178 Main Street, West Orange, NJ 07052 t/a Parkside Bar & Grill (Clerk)

13. Adjournment

**The Council President may at his/her discretion modify with consent the order of business at any meeting of the Council if he/she deems it necessary and appropriate.
(1972 Code § 3-8; Ord. No. 726-84; Ord. No. 1157-93; Ord. No. 2128-07 § II)**

Agenda is subject to change.

Next Meeting Date(s):

Township Council Meeting – May 4, 2021

RESOLUTION

WHEREAS, on June 25, 2004, a \$14,860 mortgage was filed by the Township under the West Orange Housing Rehabilitation Program (the “Mortgage”), against John Blanton and Jacquelyn Blanton (collectively the “Owners”) who owns 54 Forest Hill Road in the Township of West Orange, known as Block 39, Lot 61.04 on the Tax Map for the Township of West Orange (the “Property”); and

WHEREAS, on or about April 5, 2021, the Owners paid the Township the balance of the amount due under the mortgage; and

WHEREAS, the Owners have requested the execution and recoding of a Satisfaction of Mortgage to vacate the recorded Mortgage on the Property.

NOW, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Mayor is hereby authorized to execute the Satisfaction of Mortgage, attached hereto as Exhibit “A,” pertaining to the Property; and be it further

RESOLVED that the Township Clerk is authorized to attest to the Mayor’s signature; and be it further

RESOLVED, that a copy of this Resolution shall be made available in the Clerk’s office in accordance with applicable law.

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

Cindy Matute-Brown
Council President

Adopted: April 20, 2021

Exhibit “A”

SATISFACTION OF MORTGAGE
54 FORREST HILL ROAD, WEST ORANGE, NEW JERSEY
BLOCK 39, LOT 61.04, WEST ORANGE, NEW JERSEY

KNOW ALL MEN BY THESE PRESENTS,

That the Township of West Orange (the “Township”)

DO HEREBY CERTIFY that the following Mortgage **IS SATISFIED**, and do hereby consent that the same be discharged of record.

Mortgage dated the 21st day of April in the year 2004, made by John Blanton and Jacquelyn Blanton to the Township of West Orange in the principal sum of \$14,860 and recorded on the 25th day of June in the year 2004 in Book 9843, Page 902 of the Essex County Registry with which mortgage has not been assigned of record.

Dated the 20th day of April in the year 2021.

TOWNSHIP OF WEST ORANGE

ATTEST:

Karen J. Carnevale, Municipal Clerk

Robert D. Parisi, Mayor

STATE OF NEW JERSEY,
SS:
COUNTY OF ESSEX

I CERTIFY that, on April _____, 2021, **Robert D. Parisi** personally came before me and stated to my satisfaction that this person (or if more than one, each person):

(a) this person signed and delivered the foregoing document as the Mayor of the Township of West Orange, named in this document; and

(b) this document was signed and delivered by the Township of West Orange as its voluntary act and deed with all necessary authority.

RECORD AND RETURN TO:
Community Action Services
P.O. Box 6025
East Brunswick, NJ 08816

Print name and title below signature

RESOLUTION AUTHORIZING THE COLLECTOR OF TAXES TO REBATE PAYMENT TO THE LISTED TAXPAYER PURSUANT TO FINAL JUDGMENT BY THE TAX COURT OF NEW JERSEY

WHEREAS, final judgment on tax appeals has been rendered by the Tax Court of New Jersey on the petitions of the taxpayers listed on the attached schedule reducing the assessment for the years 2020.

WHEREAS, such judgment by merit of N.J.S.A. 54:3-27.2 shall be conclusive and binding upon the municipal assessor and taxing district;

NOW, THEREFORE BE IT RESOLVED by the West Orange Township Council that the Collector of Taxes and Treasurer of West Orange, be and they are hereby authorized, empowered and directed to cause to be paid to the said taxpayers the sums in full and final satisfaction to tax rebates due:

ADDRESS:	34 OAK BEND		JUDGMENT DATE:		3/29/2021
BLOCK:	96				
LOT:	3				
	ASSESSMENT				
<u>YEAR</u>	<u>ORIGINAL</u>	<u>JUDGMENT</u>	<u>DIFFERENCE</u>	<u>TAX RATE</u>	<u>AMOUNT DUE</u>
2020	\$ 1,577,700.00	\$ 1,400,000.00	\$ 177,700.00	4.284	\$ 7,612.67
TOTAL					\$ 7,612.67
<u>PAYABLE TO:</u>					
VALERIE HOFER TRUST ACCOUNT					
P.O. BOX 787					
MONTVILLE, NJ 07045					

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

Cindy Matute-Brown
Council President

Adopted: April 20, 2021

I hereby certify funds are available from: _____
Account No.

John O. Gross, Chief Financial Officer

TAX COURT OF NEW JERSEY
COUNTY: Essex
DOCKET NO. 002673-2020

MICHAEL & BONNIE CARTER

Plaintiff(s),

v

WEST ORANGE

Defendant(s).

:

CIVIL ACTION
JUDGMENT

:

:

The parties having agreed upon a settlement, the assessment shall be as set forth below:

Block: 96
Lot: 3
Street Address: 34 Oak Bend
Year: 2020

TAX COURT JUDGMENT

Land: \$ 364,500.00
Improvements: \$1,035,500.00
Total: \$1,400,000.00

The parties having agreed that there has been no change in value or municipal-wide revaluation or reassessment adopted for the tax year(s) 2021 (Freeze Act year(s)), the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year.

/s/ Cheryl A. Ryan, Clerk/Administrator
Tax Court of New Jersey

Entered: 3/29/2021

Attorney for Plaintiff: Valerie Hofer Esq
Attorney for Defendant: Edwin R Matthews Esq

RESOLUTION

WHEREAS, the Township of West Orange has advertised for bids, pursuant to the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1) for the project Street Improvements, 2020, Phase II; and

WHEREAS, at the date time and place advertised for the opening of said bids, the Township did receive ten bids; and

WHEREAS, the Township Engineer reported that the successful bidder has strictly complied with the bid specifications and is the lowest responsible bidder; and

WHEREAS, the Township Council of the Township of West Orange has considered said bids and has further considered the recommendation of the Township Engineer as to the award of said bid.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that the contract for the Project Street Improvements 2020, Phase II is hereby awarded to:

**CIFELLI & SON GENERAL CONTRACTING
81 FRANKLIN AVENUE
NUTLEY, NJ 07110**

in the amount of \$2,091,766.75.

BE IT FURTHER RESOLVED that Certified Checks and/or Bid bonds of all except the lowest responsible bidder be forthwith returned, and the Mayor and Township Clerk be and they hereby are respectively authorized to execute and attest a contract for the foregoing.

KAREN J. CARNEVALE, R.M.C., MUNICIPAL CLERK

I hereby certify funds are available from:

JOHN GROSS, CHIEF FINANCIAL OFFICER

CINDY MATUTE-BROWN, COUNCIL PRESIDENT

ACCOUNT NO.
2020 Capital Budget
Street Resurfacing
03 2610 20 0500 110
\$2,091,766.75

**STREET RESURFACING PROGRAM
2020
OCTOBER 11, 2019
REVISED JANUARY 21, 2020**

PHASE II

1. Rand Drive- Curb, aprons (asphalt), mill & pave
2. Parson Drive- Curb, aprons (asphalt), mill & pave
3. Haller Road- Curb, aprons (concrete, partial), mill & pave
4. Sherwood Place- Curb, aprons (asphalt), mill & pave
5. Beechwood Terrace- Curb, aprons (asphalt), mill & pave
6. Seaman Road- Curb, aprons (asphalt), mill & pave
7. Deerfield Drive- Curb, aprons (asphalt), mill & pave
8. Abbingtion Road- Curb, aprons (asphalt), mill & pave
9. Stanley Road- Curb, aprons (asphalt), mill & pave
10. Bryn Mawr Road- Curb, aprons (asphalt), mill & pave
11. Steven Terrace- Curb, aprons (concrete), mill & pave
12. Bromley Drive- Curb, aprons (concrete), mill & pave
13. Nicholas Avenue (lower) - Curb, aprons (concrete), mill & pave
Nicholas Avenue (Redwood Avenue to Terrace Avenue) –
Curb, aprons (concrete), mill & pave

TOTAL LENGTH, PHASE II 11,550 LF, 2.19 MILES

BID RESULTS
STREET IMPROVEMENTS 2020 PHASE II

- | | |
|--|----------------|
| 1. Cifelli & Son General Construction
81 Franklin Avenue
Nutley, NJ 07110 | \$2,091,766.75 |
| 2. REGGIO CONSTRUCTION, INC.
416 East Central Blvd.
Palisades Park, NJ 07204 | \$2,125,520.96 |
| 3. D.L.S. CONTRACTING INC.
36 Montesano Road
Fairfield, NJ 07004 | \$2,183,848.44 |
| 4. AMERICAN ASPHALT & MILLING SERVICES LLC.
96 Midland Avenue
Kearny, NJ 07032 | \$2,208,324.31 |
| 5. Granada Construction Corp.
147 Thomas Street
Newark, New Jersey 07114 | \$2,281,482.18 |
| 6. MIDWEST CONSTRUCTION INC.
23 Dead River Road
Warren, NJ 07059 | \$2,284,688.40 |
| 7. STANZIALE CONSTRUCTION, LLC.
P.O. Box 2597
Bloomfield, NJ 07003 | \$2,342,813.85 |
| 8. ASSUNCAO BROTHERS, INC.
29 Wood Avenue
Edison, NJ 08820 | \$2,483,484.25 |
| 9. D.S. Meyer Enterprises, LLC.
2 North Street, Suite 2A
Waldwick, N.J. 07463 | \$2,488,083.00 |
| 10. D&L PAVING CONTRACTORS, INC.
675 Franklin Avenue
Nutley, New Jersey, 07110 | \$2,872,282.90 |

RESOLUTION

WHEREAS, pursuant to the New Jersey Statutes Annotated, Title 54, the Township of West Orange (the “Township”) seeks to equitably and legally allocate real estate tax assessments among its properties; and

WHEREAS, pursuant to Resolution of the Township Council, the Township has retained Charles Blau, Esq. of Blau & Blau (“Special Tax Appeal Counsel”) to defend commercial property tax appeals; and

WHEREAS, 769 Associates by Equity Real Estate Management LLC (“769 Associates”) is the rent receiver for the property known on the Tax Map as Block 166.15, Lot 9, with a street address of 769 Northfield Avenue (“Northfield Property”) and Bluescape Altera NJ, LLC (“Bluescape”) is the owner of the Northfield Property; and

WHEREAS, 769 Associates and Bluescape (collectively the “Plaintiffs”) filed tax appeals with the Tax Court of New Jersey captioned: (i) 769 Associates by Equity Real Estate Management LLC, Rent Receiver v. Township of West Orange, Docket Nos. 005882-2018 and 003207-2019; and (ii) Bluescape Altera NJ, LLC v. Township of West Orange, Docket Nos. 007720-2020 and 004959-2021 (collectively the “Tax Appeals”) challenging the tax assessment for the Northfield Property for the years, 2018, 2019, 2020, and 2021; and

WHEREAS, Frank E. Ferruggia, Esq. appeared on behalf of the Plaintiffs; and

WHEREAS, the Plaintiffs and the Township have evaluated the assessments and agreed to a proposed settlement which is recommended by the Township’s Tax Assessor and Appraiser; and

WHEREAS, the Law Department recommends approval of this settlement.

NOW, BE IT HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the Stipulations of Settlement to resolve the Tax Appeals annexed hereto as Exhibit “**A**” be and are hereby approved; and

IT IS FURTHER RESOLVED that the Tax Assessor and Special Tax Appeal Counsel be and are hereby authorized to take all steps necessary and appropriate to effectuate the settlements.

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

Cindy Matute-Brown
Council President

Adopted: April 20, 2021

EXHIBIT “A”

Frank E. Ferruggia, Esq.
NJ Attorney ID : 021471981
McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 622-4444
Attorneys for Plaintiff

769 ASSOCIATES BY EQUITY REAL
ESTATE MANAGEMENT LLC, RENT
RECEIVER,

Plaintiff,

vs.

TOWNSHIP OF WEST ORANGE,

Defendant.

BLUESCAPE ALTERA NJ, LLC,

Plaintiff,

vs.

TOWNSHIP OF WEST ORANGE,

Defendant.

TAX COURT OF NEW JERSEY
DOCKET NOS.: 005882-2018 &
003207-2019

Civil Action

Stipulation of Settlement
(Without Affidavit)

TAX COURT OF NEW JERSEY
DOCKET NOS.: 007720-2020
004959-2021

Civil Action

Stipulation of Settlement
(Without Affidavit)

1. It is hereby **STIPULATED** and **AGREED** that the assessment of the following property be adjusted and a judgment be entered as follows:

Block : 166.15	Lot : 9	Qual :	
Street Address : 769 Northfield Avenue			Tax Years: 2018-2019
	Original Assessment	County Board Judgment	Requested Tax Court Judgment
LAND	\$ 5,000,000	N/A	\$ 5,000,000
IMPROVEMENTS	\$ 4,960,000	Direct	\$ 4,960,000
TOTAL	\$ 9,960,000	Appeal	\$ 9,960,000

Block : 166.15	Lot : 9	Qual :	
Street Address : 769 Northfield Avenue			Tax Year: 2020
	Original Assessment	County Board Judgment	Requested Tax Court Judgment
LAND	\$ 5,000,000	N/A	\$ 5,000,000
IMPROVEMENTS	\$ 4,960,000	Direct	\$ 2,500,000
TOTAL	\$ 9,960,000	Appeal	\$ 7,500,000

Block : 166.15	Lot : 9	Qual :	
Street Address : 769 Northfield Avenue			Tax Year: 2021
	Original Assessment	County Board Judgment	Requested Tax Court Judgment
LAND	\$ 5,000,000	N/A	\$ 5,000,000
IMPROVEMENTS	\$ 500,000	Direct	\$ 500,000
TOTAL	\$ 5,500,000	Appeal	\$ 5,500,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such analysis and information with respect to the valuation and assessment of the property, as they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represents to the Court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within sixty (60) days of the date of entry of the Tax Court judgment.
5. Refunds issued as a result of the settlement, as set forth herein, shall be payable to McCarter & English, LLP and forwarded to Frank E. Ferruggia, Esq., McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, P.O. Box 652, Newark, NJ 07101-0652, within sixty (60) days of the date of any entry of judgment.
6. The parties acknowledge that Plaintiff is performing substantial work on the property and the agreed upon assessment includes and incorporates said work. The parties further agree that no added assessment shall be levied on the subject property for tax years 2021, 2022 and 2023 unless a variance is obtained to change the current use of the subject property.

7. Any and all motions and/or counter-claims filed with regard to the above matter are hereby withdrawn pursuant to this settlement.

McCarter & English, LLP
Attorneys for Plaintiff

Dated:

Frank E. Ferruggia, Esq.

Blau & Blau
Attorneys for Defendant

Dated:

Charles E. Blau, Esq.

RESOLUTION

WHEREAS, on November 26, 1996 the Township of West Orange adopted Ordinance No. 1421-96 which authorized the Township to reimburse qualified private communities for the yearly cost of snow removal commencing with 1995; and

WHEREAS, there is attached hereto a report of the Township Engineer, recommending reimbursement for 2020 snow removal costs to twenty (21) qualified private communities which are condominiums or cooperatives in accordance with the formula for reimbursement set forth in Ordinance No. 1421-96 and codified as West Orange Revised General Ordinance No. 2-73 or in accordance with an Agreement between the private Community and the Township; and

WHEREAS, the Township of West Orange wishes to reimburse said qualified communities as set forth in the aforementioned report of the Township Engineer.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that the qualified private communities listed on the attached report of the Township Engineer Leonard R. Lepore, be reimbursed, as set forth therein, for 2020 Snow Removal Costs.

BE IT FURTHER RESOLVED that the Township Business Administrator and/or Comptroller issue the appropriate checks to comply with this Resolution as soon as is feasible.

KAREN J. CARNEVALE, RMC, MUNICIPAL CLERK

CINDY MATUTE - BROWN, COUNCIL PRESIDENT

Adopted: April 20, 2021

I hereby certify funds are available from Account No. 01-2030-00-7502-114

JOHN GROSS, CHIEF FINANCIAL OFFICER

**2020 SNOW REMOVAL REIMBURSEMENT
TO QUALIFIED PRIVATE COMMUNITIES
PROVIDING SNOW REMOVAL
FOR STREETS AND ROADS**

Private Community	Road Length		Percent of	Amount to Be
	L.F.	Miles	Township	Reimbursed
Llewellyn Park *	47,520	9.00	9.5238%	\$27,724.21
The Woodlands	4,450	0.843	0.8921%	\$2,709.24
Eagle Rock Cooperative	550	0.104	0.1101%	\$334.24
West Essex Highlands	13,167	2.494	2.6392%	\$8,015.23
Crystal Woods	5,275	0.999	1.0571%	\$3,210.59
Eagle Ridge	13,135	2.488	2.6328%	\$7,995.95
Essex Green Villas	1,800	0.341	0.3608%	\$1,095.91
Hilton Head North	600	0.114	0.1206%	\$366.37
Hilltop Villas	1,300	0.246	0.2603%	\$790.60
Crown View Manor	1,800	0.341	0.3608%	\$1,095.91
Briar Hill Villas	1,000	0.189	0.2000%	\$607.41
Scenic Hills	8,985	1.702	1.8011%	\$5,469.90
Carriage House Condominium	700	0.133	0.1407%	\$427.44
Crestmont Gardens	600	0.114	0.1206%	\$366.37
Llewellyn Gates Associates	1,200	0.227	0.2402%	\$729.53
Normandie Estates	1,425	0.270	0.2857%	\$867.73
Forest Creek	1,391	0.263	0.2783%	\$845.23
Crown View Villas	1,425	0.270	0.2857%	\$867.73
The Point at Crystal Lake	5,600	1.061	1.1228%	\$3,409.85
Bel Air	13,390	2.536	2.6836%	\$8,150.22
The Vizcaya	2,369	0.4830	0.5111%	\$1,552.23
TOTALS		24.218	25.6275%	\$76,631.87

TOTAL TOWNSHIP MILES 94.5

Township Snow Removal Costs for 2020 = \$307,214.45

Township Snow Removal Costs for Roads = \$303,704.56

Notes:

Amounts to be reimbursed = % of Township Roads x Township Road Cost

*Llewellyn Park reduced by \$1,200.00 reflecting cost of road salt supplied

TOWNSHIP OF WEST ORANGE PUBLIC WORKS
SNOW PLOWING EXPENSES - 2020

Date	Materials	Labor	Overhead	Equipment	Outside Contractors	Total
1/18/20 0:00	23,484.56	14,118.05	4,235.41	16,845.65	35,507.50	\$ 94,191.17
12/14/20 0:00	9,306.24	2,766.97	830.09	5,008.05	14,600.00	\$ 32,511.34
12/16/20 0:00	24,428.88	30,459.80	9,137.94	34,872.83	81,612.50	\$ 180,511.94
storms	\$ 57,219.68	\$ 47,344.82	\$ 14,203.44	\$ 56,726.53	\$ 131,720.00	\$ 307,214.45

GRAND TOTAL	\$ 307,214.45
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Less two percent of Materials,
Labor, Overhead and Equipment for
work associated with public
properties

\$3,509.89

Cost Basis for Reimbursement

\$303,704.56

RESOLUTION

WHEREAS, pursuant to N.J.S.A. 40:67-23.2 et. seq, commonly referred to as the Municipal Services Act, the Township of West Orange entered into an Agreement with Llewellyn Park entitled “Municipal Services Agreement” and dated December 23, 2010; and

WHEREAS, the Municipal Services Agreement specified the services the Township shall provide Llewellyn Park or the cost of services the Township shall reimburse to Llewellyn Park; and

WHEREAS, the Agreement included Leaf Collection from the Park roads as a service and specifies the method for calculating the reimbursement, and it also includes the removal of obstructions such as fallen tree limbs as a service; and

WHEREAS, there is attached hereto a report of the Township Engineer recommending reimbursement for 2020 Leaf Collection costs to Llewellyn Park in accordance with the formula for reimbursement set forth in the Agreement with Llewellyn Park; and

WHEREAS, the Township of West Orange wishes to reimburse Llewellyn Park as set forth in the aforementioned report of the Township Engineer.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that Llewellyn Park be reimbursed as set forth therein, on the attached report of the Township Engineer, Leonard R. Lepore, for 2020 leaf collection.

BE IT FURTHER RESOLVED that the Township Business Administrator and/or Comptroller issue the appropriate checks to comply with this Resolution as soon as feasible.

KAREN J. CARNEVALE, RMC, MUNICIPAL CLERK

CINDY MATUTE - BROWN, COUNCIL PRESIDENT

Adopted: April 20, 2021

I hereby certify funds are available from Account No. 01-2030-00-7502-115

JOHN GROSS, CHIEF FINANCIAL OFFICER

2020 LEAF COLLECTION AND OBSTRUCTION REMOVAL REIMBURSEMENT TO LLEWELLYN PARK					
LEAF COLLECTION					
PRIVATE COMMUNITY	ROAD LENGTH L.F.	MILES	PERCENTAGE OF TOWNSHIP	ENHANCEMENT FACTOR	AMOUNT TO REIMBURSED
LLEWELLYN PARK	47,520	9.0	9.52380%	2.0	\$86,590.39
TOTAL TOWNSHIP MILES					94.5
TOWNSHIP LEAF COLLECTION COST FOR 2020 =					\$454,600.01

LEAF PROGRAM

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WORKERS	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets

SUPERVISION

							\$ 0.00			
							\$ 0.00			

SWEEPER CREW

				DPW 25		#####	\$ 0.00				
				DPW 37		#####	\$ 0.00				

PICKUP CREW

			CAT 2	#####	\$ 0.00			
			CAT 2A	#####	\$ 0.00			
			CAT 4	#####	\$ 0.00			
			JD 6	#####	\$ 0.00			
			DPW 26		\$ 0.00			
			DPW 39		\$ 0.00			
			DPW 48		\$ 0.00			
			ODB 1		\$ 0.00			
			ODB 2		\$ 0.00			
			DPW 3	#####	\$ 0.00			
			DPW 4	#####	\$ 0.00			
			DPW 6	\$ 7.00	\$ 0.00			
			DPW 8	#####	\$ 0.00			
			DPW 14	\$ 7.00	\$ 0.00			
			DPW 28	#####	\$ 0.00			
			DPW 29	#####	\$ 0.00			
			DPW 30	#####	\$ 0.00			
			DPW 32	#####	\$ 0.00			
			DPW 42	\$ 7.00	\$ 0.00			
			DPW 45	#####	\$ 0.00			
			DPW 60	\$ 7.00	\$ 0.00			
			DPW 65	#####	\$ 0.00			
			DPW 87	#####	\$ 0.00			
			DPW 94	\$ 7.00	\$ 0.00			
			DPW 200	\$ 7.00	\$ 0.00			
			REC 2	#####	\$ 0.00			
			REC 3	#####	\$ 0.00			
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		+ 30% Fringe			\$ 0.00			
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	HOURS									
WORKERS	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

[illegible]

LEAF PROGRAM

SECTION _____

Date _____

	HOURS									
WORKERS	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

	HOURS									
WORKERS	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS			EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets
	Reg	OT	Cost							

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS			EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets
	Reg	OT	Cost							

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS			EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets
	Reg	OT	Cost							

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS			EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets
	Reg	OT	Cost							

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS			EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets
	Reg	OT	Cost							

LEAF PROGRAM

SECTION _____

Date _____

	HOURS									
WORKERS	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets

LEAF PROGRAM

SECTION _____

Date _____

	HOURS									
WORKERS	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	Streets

LEAF PROGRAM

SECTION _____

Date _____

[illegible]

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM

SECTION _____

Date _____

WORKERS	HOURS									Streets
	Reg	OT	Cost	EQUIPMENT	Hours	Cost	Total	LOADS	CY	

LEAF PROGRAM TOTALS FOR 2020

SECTION	Date	Labor		Equipment		Leaves	
		Hours	Cost	Hours	Cost	Loads	CY
		Reg					
1	11/5/20 0:00	40	\$ 1,838.72	32	\$ 2,904.00	8	230
1	11/5/20 0:00	40	\$ 1,854.96	48	\$ 3,170.00	14	315
1	11/6/20 0:00	36	\$ 1,489.16	36	\$ 2,851.60	15	330
1	11/6/20 0:00	40	\$ 1,839.44	28	\$ 3,120.00	7	205
1 O.T.	11/7/20 0:00	36	\$ 2,292.12	42	\$ 4,307.70	9	270
1	11/9/20 0:00	32	\$ 1,432.32	24	\$ 984.00	2	50
1&2	11/9/20 0:00	80	\$ 3,802.47	88	\$ 7,820.00	23	578
2	11/10/20 0:00	96	\$ 3,230.51	80	\$ 4,594.80	35	760
4	11/10/20 0:00	40	\$ 1,838.72	32	\$ 1,800.00	3	150
3	11/11/20 0:00	37	\$ 2,031.01	29	\$ 1,494.00	3	150
1&3	11/11/20 0:00	104	\$ 5,725.36	80	\$ 4,403.20	42	750
2&3	11/12/20 0:00	112	\$ 4,997.84	80	\$ 4,457.20	33	590
2	11/13/20 0:00	104	\$ 4,864.96	72	\$ 3,239.90	23	470
3&4	11/13/20 0:00	48	\$ 1,691.92	32	\$ 1,620.00	9	245
4 O.T.	11/14/20 0:00	48	\$ 2,345.68	32	\$ 2,065.40	7	175
2 O.T.	11/14/20 0:00	80	\$ 4,702.76	72	\$ 4,491.00	24	580
4	11/16/20 0:00	40	\$ 1,573.12	32	\$ 1,620.80	6	120
2	11/16/20 0:00	92	\$ 4,443.12	80	\$ 6,020.40	36	740
3	11/17/20 0:00	48	\$ 1,692.64	32	\$ 1,620.80	10	180
2	11/17/20 0:00	100	\$ 4,728.64	80	\$ 6,020.40	37	765
2&3	11/18/20 0:00	72	\$ 3,443.60	60	\$ 5,298.00	31	625
3	11/18/20 0:00	48	\$ 1,691.92	32	\$ 1,616.80	12	210
3	11/19/20 0:00	88	\$ 4,151.96	76	\$ 5,032.20	32	645
3	11/19/20 0:00	48	\$ 1,691.92	32	\$ 1,620.80	11	195
3	11/20/20 0:00	104	\$ 4,708.40	88	\$ 5,723.20	45	930
3 O.T.	11/21/20 0:00	88	\$ 4,838.88	76	\$ 5,796.00	31	680
3&1	11/23/20 0:00	84	\$ 4,090.44	72	\$ 6,188.00	32	710
1	11/24/20 0:00	104	\$ 4,708.40	80	\$ 5,723.00	40	890
4	11/24/20 0:00	32	\$ 1,229.08	24	\$ 984.00	2	50
1	11/25/20 0:00	80	\$ 3,683.16	60	\$ 4,350.40	31	610
4	11/25/20 0:00	48	\$ 1,957.52	32	\$ 1,800.00	2	50
1 O.T.	11/27/20 0:00	88	\$ 5,140.00	72	\$ 6,204.80	38	730
1 O.T.	11/28/20 0:00	72	\$ 4,164.24	56	\$ 5,198.40	22	475
4 O.T.	11/28/20 0:00	40	\$ 2,239.84	32	\$ 1,800.00	4	100
1	11/30/20 0:00	14	\$ 593.41	10	\$ 596.80	3	50
4	11/30/20 0:00	30	\$ 1,223.45	20	\$ 1,125.00	2	50
2	12/1/20 0:00	80	\$ 3,692.88	64	\$ 5,307.20	23	450
4	12/2/20 0:00	40	\$ 1,739.84	28	\$ 1,392.00	4	100
2	12/2/20 0:00	96	\$ 4,246.06	84	\$ 5,615.20	38	695
2	12/3/20 0:00	100	\$ 4,430.04	84	\$ 5,615.20	43	855
3	12/3/20 0:00	48	\$ 1,957.52	32	\$ 1,800.00	3	75
2	12/4/20 0:00	86	\$ 3,884.08	76	\$ 5,087.20	26	500
2 O.T.	12/5/20 0:00	60	\$ 3,412.45	45	\$ 2,503.00	29	485
3 O.T.	12/5/20 0:00	48	\$ 2,567.20	32	\$ 1,800.00	4	100
2&3	12/7/20 0:00	104	\$ 4,540.01	84	\$ 6,495.20	37	720
3	12/7/20 0:00	48	\$ 1,754.80	32	\$ 1,800.00	3	75
3	12/8/20 0:00	40	\$ 1,838.72	32	\$ 1,800.00	2	50
3	12/8/20 0:00	88	\$ 3,924.64	76	\$ 6,188.00	28	480

LEAF PROGRAM TOTALS FOR 2020

SECTION	Date	Labor		Equipment		Leaves	
		Hours					
		Reg	Cost	Hours	Cost	Loads	CY
3&1	12/9/20 0:00	60	\$ 2,862.94	56	\$ 4,467.60	17	350
4	12/9/20 0:00	40	\$ 1,348.40	24	\$ 1,011.00	3	75
1	12/12/20 0:00	84	\$ 3,395.68	64	\$ 3,788.80	18	300
1&2	12/14/20 0:00	32	\$ 1,544.48	24	\$ 1,168.00	8	145
1&2&3	12/15/20 0:00	100	\$ 4,487.04	80	\$ 4,403.20	18	325
3	12/16/20 0:00	36	\$ 1,468.80	32	\$ 1,685.60	8	130
TOTALS		3483	\$ 163,930.21	2802	\$ 290,669.80	996	10352.2
							Compacted
	Total CY Loose: 17018, reduced by a factor of 2.5 = 6807.2						
	plus 3545 CY delivered in compacted trucks for a total of 10352.2 CY						

RESOLUTION

WHEREAS, on December 21, 1993 the Township of West Orange adopted Ordinance No. 1230-93 which authorized the Township to reimburse qualified private communities for the yearly cost of Street Lighting commencing with 1993; and

WHEREAS, there is attached hereto a report of the Township Engineer, recommending reimbursement for 2020 street lighting costs to twenty-one (21) qualified private communities which are condominiums or cooperatives in accordance with the formula for reimbursement set forth in Ordinance No. 1230-93 and codified as West Orange Revised General Ordinance No. 2-71 or in accordance with an Agreement between the private Community and the Township; and

WHEREAS, the Township of West Orange wishes to reimburse said qualified communities as set forth in the aforementioned report of the Township Engineer.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that the qualified private communities listed on the attached report of the Township Engineer Leonard R. Lepore, be reimbursed, as set forth therein, for 2020 Street Lighting Costs.

BE IT FURTHER RESOLVED that the Township Business Administrator and/or Comptroller issue the appropriate checks to comply with this Resolution as soon as is feasible.

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

Cindy Matute-Brown, Council President

Adopted: April 20, 2021

I hereby certify funds are available from Account No. 01-2010-00-9501-148

John Gross, Chief Financial Officer

**2020 STREET LIGHTING REIMBURSEMENT
TO QUALIFIED PRIVATE COMMUNITIES**

Private Community	Road Length		No of Lights	Amount per Light	Amount to Be Reimbursed
	Miles	L.F.			
The Woodlands	4,450	0.843	28	\$111.00	\$3,108.00
Eagle Rock Cooperative	550	0.104	6	\$111.00	\$666.00
West Essex Highlands	13,167	2.494	78	\$111.00	\$8,658.00
Crystal Woods	5,275	0.999	85	\$111.00	\$9,435.00
Llewellyn Park *	47,520	9.0	396	\$111.00	\$28,565.23
Eagle Ridge	13,135	2.488	84	\$111.00	\$9,324.00
Essex Green Villas	1,800	0.341	17	\$111.00	\$1,887.00
Hilton Head North	600	0.114	5	\$111.00	\$555.00
Hilltop Villas	1,300	0.246	11	\$111.00	\$1,221.00
Crown View Manor	1,800	0.341	20	\$111.00	\$1,332.00
Briar Hill Villas	1,000	0.189	12	\$111.00	\$6,660.00
Scenic Hills	8,985	1.702	60	\$111.00	\$6,660.00
Carriage House Condominium	700	0.133	6	\$111.00	\$666.00
Crestmont Gardens	600	0.114	5	\$111.00	\$555.00
Llewellyn Gates Associates	1,200	0.227	10	\$111.00	\$1,110.00
Normandie Estates	1,425	0.270	8	\$111.00	\$888.00
Forest Creek	1,391	0.263	9	\$111.00	\$999.00
Crown View Villas	1,425	0.270	20	\$111.00	\$2,220.00
The Point at Crystal Lake	3,724	0.705	28	\$111.00	\$3,108.00
Bel Air	13,390	\$111.00	59	\$111.00	\$6,549.00
Vizcaya	2,369	0.447	67	\$111.00	\$7,437.00
TOTALS		23.826	1014		\$97,163.23

*Llewellyn Park amount reflects actual costs incurred by Llewellyn Park for street lighting

RESOLUTION

WHEREAS, Greenman – Pedersen, Inc., of 301 Gibraltar Drive, Morris Plains, N.J. responded to the Township’s Request for Qualifications for 2021 for Professional Engineering and Land Surveying Services; and

WHEREAS, the Township has the need for an inspector for road improvements in the Rock Spring Road neighborhood due to the absence of DPW Inspector/ Supervisor James A. Williams; and

WHEREAS, Greenman – Pedersen can provide an inspector at a fee rate of \$88.00 per hour; and

WHEREAS, the Municipal Engineer estimates he will need these services for twelve, nine-hour days for an estimated fee of \$9,504.00; and

WHEREAS, Greenman – Pedersen prepared the street improvement plans for this neighborhood; and

WHEREAS, the Municipal Engineer by letter dated April 14, 2021 recommends obtaining their services for a fee not to exceed \$9,504.00; and

WHEREAS, the Council concurs in the foregoing; and

WHEREAS, sufficient funds exist for these services

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that a Professional Services Contract be issued to Greenman – Pedersen, 301 Gibraltar Drive, Morris Plains, N.J. in the amount of \$9,504.00 for inspection services associated with road improvements in the Rock Spring Road neighborhood

BE IT FURTHER RESOLVED that a copy of the Resolution be published in the West Orange Chronicle in accordance with N.J.S.A. 40A:11-5(1)(a)(i).

Karen J. Carnevale, RMC, Municipal Clerk

Cindy Matute – Brown, Council President

Adopted: April 20, 2021

John O. Gross, Chief Financial Officer

Account No.
2020 Capital Budget
Street Resurfacing
03 2610 20 0500 110

72-21
April 20, 2021

**RESOLUTION APPROVING AN AMENDED MEMORANDUM OF AGREEMENT
BETWEEN THE WEST ORANGE FIRE SUPERIOR OFFICER'S ASSOCIATION
AND TOWNSHIP OF WEST ORANGE**

WHEREAS, the Township of West Orange (“Township”) and the West Orange Fire Superior Officer’s Association (“FIRE SOA”), have an existing Memorandum of Agreement (MOA) containing the terms for a new Collective Bargaining Agreement for the period January 1, 2018 through December 31, 2022 which was approved on November 12, 2019; and

WHEREAS, the Township and FIRE SOA have negotiated in good faith and amendment to that MOA; and

WHEREAS, the Township has received the Amended MOA executed By the SOA’s President on April 13th, 2021,

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Amended Memorandum of Agreement dated April 13, 2021 between the West Orange Fire Superior Officer’s Association and the Township of West Orange, annexed hereto as Exhibit “A,” be and is hereby approved.

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

Cindy Matute-Brown
Council President

Adopted: April 20, 2021

**MEMORANDUM OF AGREEMENT FOR A FIVE YEAR CONTRACT BETWEEN THE
TOWNSHIP OF WEST ORANGE AND THE WEST ORANGE FIRE SUPERIOR
OFFICERS ASSOCIATION**

1. Upon retirement the Township shall pay for the cost of retiree health and prescription coverage with the exception of contributions for PFRS Tier 2 or above for all Fire Superior Officers who are employed on the date the new contract is signed, and those firefighters who are employed by the Township on the date that the new contract is signed and who are subsequently promoted into the Fire Superior Officers unit ("Future Fire Superior Officers"). With respect to said Fire Superior Officers and Future Fire Superior Officers, the Township agrees to execute an individual vesting agreement, attached hereto as exhibit A, for each covered Fire Superior Officer and Future Fire Superior Officer and agrees to honor the terms of said agreement. The Fire Superior Officers Association agrees that it will not file any action regarding the individual vesting agreement except for a claim to enforce the individual vesting agreement.

2. The Township shall pay in full this cost for retiree health and prescription coverage for the duration of the Fire Superior Officers' and Future Fire Superior Officers' retirement life including surviving spouse coverage and all eligible dependents, including survivors for all Fire Superior Officers who meet the requirements set forth in paragraph 1.

3. The vested benefits in retirement that a Fire Superior Officer, who is party to an individual agreement identified in paragraph 1 above, receives shall be equal to or better than the level of benefits (and plan design) that the Fire Superior Officer was enrolled in on the day immediately prior to the date of retirement.

4. The EMT stipend shall be increased by \$1000.00 dollars for a total of \$4,000.00 for all Fire Superior Officers who possess an EMT certification and shall be payable in the first (1st) payroll of 2019. The EMT stipend shall be increased to a total of \$4,250.00 in 2021 and to a total of \$4,500.00 in 2022.

5. Five year term with the following base salary increases:

2018	1/1/18	0%		
2019	1/1/19	0%		
2020	1/1/20	1.50 %	7/1/20	1.50 %
2021	1/1/21	1.50 %	7/1/21	1.50 %
2022	1/1/22	3%		

6. Retiree Benefits / Additional: All future Fire Superior Officers who are first hired by the Township as firefighters after the date the new contract is signed will not receive retiree health and prescription coverage. Each Fire Superior Officer employed on the date that the new contract is signed and those firefighters who are promoted into the Fire Superior Officer unit and were employed by the Township on the date the new contract is signed shall maintain their retiree health and prescription coverage pursuant to their individual vesting agreement. The Township agrees to contribute 10.5% of the newly hired employees gross salary (defined as base salary, holiday pay, longevity pay, EMT stipend) every pay period throughout the year for the duration of the members employment with the Township, into a tax deferred compensation plan to be utilized for the prospective purchase of any health and prescription benefits needed by the employee upon severance of employment from the Township.

a. It is contemplated by the parties that the vehicle to be offered is a 457 deferred compensation plan. It is further agreed between the parties that the Township will continue to offer the products currently offered by Mass Mutual and/or Valic based upon their current guaranteed rates of return, as long as said services remain available to the Township. If it is determined and agreed by all parties that the 457 is not the appropriate vehicle to utilize, or, if a court of competent jurisdiction or government agency determines that the 457 is not the legal vehicle, the parties agree to mutually arrive at an equivalent successor vehicle (such as c1 whole life insurance policy), which accomplishes the objectives set forth above.

b. The Township shall treat the aforementioned contributions as pensionable income pursuant to N.J.A.C. 17:4-4.1 and shall make all pension contributions based upon gross salary as defined above and the additional percentage Township agrees to contribute to the 457 deferred compensation plan referenced herein.

c. Active Member Death: If an Active member dies, regardless of date of hire, or is awarded a PFRS accidental disability pension for actions taken on duty or while performing firefighter duties off duty, the Township agrees to pay 100 percent of the Health and Prescription benefits premiums for the member and the surviving spouse for his/her life and eligible dependents.

7. The prior MOA's provision regarding longevity pay is withdrawn, and longevity shall be maintained as it existed in the parties' 2014-2017 contract.

8. Existing health and prescription benefit coverage cost for active Fire Superior Officers that are calculated based on previously negotiated contracts will all convert to chapter 78 guidelines. All current and future active Fire Superior Officers will contribute to health and prescription costs in accordance with current chapter 78 guidelines.

9. Article 17, Insurance, Section c, Lay-offs and Demotions shall be eliminated in the new contract.

10. All Fire Superior Officers in PFRS Tier 2 and above will receive a one and one-half percent (1.5%) increase in their longevity pay, in their twenty fourth (24th) year of employment, increasing the 24th year percentage from ten percent (10%) to eleven point five percent (11.5%).

11. This Agreement is subject to ratification by the Association's membership and approval of the Township's governing body.

For the Association


Frank Noborine, President

Dated: 4/13/2021

For the Township


John K. Sayers, Business
Administrator

Dated: 4/14/21

R E S O L U T I O N

WHEREAS, by Resolution No. 128-20 dated June 23, 2020, the Township Council awarded the contract Pleasant Valley Way Parking Lot Improvement located at 492-496 Pleasant Valley Way to Zenith Construction Services, Inc., 365 Thomas Boulevard, Orange, NJ 07050 in the amount of \$274, 537.87; and

WHEREAS, the work under this contract included the complete reconstruction of the parking lot and the replacement of an 11-foot-high steel column and railroad tie retaining wall with a masonry block wall with a steel reinforced concrete parapet on top of the block; and

WHEREAS, during the demolition of the existing wall and preparing the foundation for the new wall the design engineer, Frank H. Lehr Associates, Inc., of East Orange, NJ and the contractor determined the existing soils would not be sufficient to support the new block wall and concrete parapet; and

WHEREAS, Frank H. Lehr determined approximately 5.5 feet in depth of unsuitable soils needed to be removed across the entire length of the new wall and replaced with clean stone to address this field condition; and

WHEREAS, the contractor was directed to proceed with the work pending the negotiation of a Change Order for materials, labor, profit and overhead; and

WHEREAS, Frank H. Lehr and Zenith Construction Services negotiated Change Order No. 1 for this additional work to address field conditions in the amount of \$39,764.26; and

WHEREAS, Change Order No. 1 is acceptable to the Municipal Engineer and by letter dated April 14, 2021 to the Township Council, he recommends its approval; and

WHEREAS, at the completion of the project Zenith Construction Services submitted Change order No. 2 and Final in the amount of \$8,102.52 which reflects as built quantities of bid items and not a change in scope of the project; and

WHEREAS, Change Order No. 2 is also acceptable to the Municipal Engineer and by letter dated April 14, 2021 to the Township Council, he recommends its approval; and

WHEREAS, sufficient funds exist for these Change Orders; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that Change Order No. 1 and Change Order No. 2 and Final for the project Pleasant Valley Way Parking Lot Improvement with Zenith Construction Services, Inc., 365 Thomas Boulevard, Orange, NJ 07050 in the amounts of \$39,764.26 and \$8,102.52 respectively are hereby approved.

BE IT FURTHER RESOLVED that the Municipal Engineer is authorized to execute the Change Order on behalf of the Township of West Orange.

Karen J. Carnevale, RMC, Municipal Clerk

Cindy Matute - Brown, Council President

Adopted: April 20, 2021

I hereby certify funds are available

**ACCT NO. 03 2544 18 0400 040
2018 Capital Budget
Pleasant Valley Way Parking Lot**

John Gross, Chief Financial Officer



TOWNSHIP OF WEST ORANGE

25 LAKESIDE AVENUE, WEST ORANGE, N.J. 07052

DEPARTMENT OF PUBLIC WORKS

ROBERT D. PARISI

Mayor

LEONARD R. LEPORE

Director, Municipal Engineer

Tel: (973) 325-4160

Fax: (973) 669-9588

Email: Engineering@westorange.org

73-21

April 14, 2021

PROJECT: PLEASANT VALLEY WAY PARKING LOT IMPROVEMENT

LOCATION: 492 -496 PLEASANT VALLEY WAY
BLOCK 154.06, LOTS 16 AND 17

CONTRACTOR: ZENITH CONSTRUCTION SERVICES
365 THOMAS BOULEVARD
ORANGE, NJ 07050

DESIGN ENGINEER: FRANK H. LEHR ASSOCIATES INC.
101 S. HARRISON STREET
EAST ORANGE, NJ 07018

CHANGE ORDER NO 1.

AMOUNT OF CHANGE ORDER	\$39,764.26
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ORIGINAL CONTRACT AMOUNT	\$274,537.87
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ADJUSTED CONTRACT AMOUNT	\$314,302.13
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PERCENT INCREASE OVER ORIGINAL CONTRACT AMOUNT	14.48
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REASON FOR CHANGE ORDER – Remove unsuitable soils beneath rear yard retaining wall an average depth of 5.5 feet for entire length of wall and replaced with clean stone at average depth of 3.5 feet for placement of first course of modular block retaining wall.

Approved by:

Contractor

Date

Engineer	Date
----------	------

Owner	Date
-------	------

The Municipal Engineer was authorized by Resolution No. 73-21 dated April 20,2021 to sign this Change Order.



TOWNSHIP OF WEST ORANGE

25 LAKESIDE AVENUE, WEST ORANGE, N.J. 07052

DEPARTMENT OF PUBLIC WORKS

ROBERT D. PARISI

Mayor

Tel: (973) 325-4160

Fax: (973) 669-9588

Email: Engineering@westorange.org

LEONARD R. LEPORE

Director, Municipal Engineer

73-21

April 14, 2021

PROJECT: PLEASANT VALLEY WAY PARKING LOT IMPROVEMENT

LOCATION: 492 -496 PLEASANT VALLEY WAY
BLOCK 154.06, LOTS 16 AND 17

CONTRACTOR: ZENITH CONSTRUCTION SERVICES
365 THOMAS BOULEVARD
ORANGE, NJ 07050

DESIGN ENGINEER: FRANK H. LEHR ASSOCIATES INC.
101 S. HARRISON STREET
EAST ORANGE, NJ 07018

CHANGE ORDER NO 2. AND FINAL

AMOUNT OF CHANGE ORDER \$8,102.52

ORIGINAL CONTRACT AMOUNT \$274,537.87

CHANGE ORDER NO. 1 \$39,764.26

ADJUSTED CONTRACT AMOUNT THRU
CHANGE ORDER NO. 1 \$322,404.65

PERCENT INCREASE OVER
ORIGINAL CONTRACT AMOUNT 17.44

REASON FOR CHANGE ORDER – As – Built Quantities.

Approved by:

Contractor

Date

Engineer

Date

Owner

Date

The Municipal Engineer was authorized by Resolution No. 73-21 dated April 20, 2021 to sign this Change Order.



TOWNSHIP OF WEST ORANGE

25 LAKESIDE AVENUE, WEST ORANGE, N.J. 07052

DEPARTMENT OF PUBLIC WORKS

ROBERT D. PARISI

Mayor

Tel: (973) 325-4160

Fax: (973) 669-9588

Email: Engineering@westorange.org

LEONARD R. LEPORE

Director, Municipal Engineer

73-21

April 14, 2021

PROJECT: PLEASANT VALLEY WAY PARKING LOT IMPROVEMENT

LOCATION: 492 -496 PLEASANT VALLEY WAY
BLOCK 154.06, LOTS 16 AND 17

CONTRACTOR: ZENITH CONSTRUCTION SERVICES
365 THOMAS BOULEVARD
ORANGE, NJ 07050

DESIGN ENGINEER: FRANK H. LEHR ASSOCIATES INC.
101 S. HARRISON STREET
EAST ORANGE, NJ 07018

CHANGE ORDER NO 1.

AMOUNT OF CHANGE ORDER \$39,764.26

ORIGINAL CONTRACT AMOUNT \$274,537.87

ADJUSTED CONTRACT AMOUNT \$314,302.13

PERCENT INCREASE OVER
ORIGINAL CONTRACT AMOUNT 14.48

REASON FOR CHANGE ORDER – Remove unsuitable soils beneath rear yard retaining wall an average depth of 5.5 feet for entire length of wall and replaced with clean stone at average depth of 3.5 feet for placement of first course of modular block retaining wall.

Approved by:

Contractor

Date

Engineer	Date
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Owner	Date
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The Municipal Engineer was authorized by Resolution No. 73-21 dated April 20,2021 to sign this Change Order.

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 **April 20, 2021** 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):

Pending or anticipated litigation or contract negotiation

Resolution Authorizing an Executive Session to Discuss a Matter of Litigation and Contract Negotiation Specifically Crestmont Country Club

(the general subject matter(s)) 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 **April 20, 2021.**

Motion:

Second:

Vote

Aye:

Opposed:

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

Cindy Matute-Brown
Council President

Adopted: April 20, 2021

RESOLUTION

WHEREAS, Anchor Restaurant, LLC, 290 Watchung Avenue, West Orange, NJ 07052 is the holder of Plenary Retail Consumption License No. 0722-33-031-007; and

WHEREAS, 2001 Proof, LLC, 178 Main Street, West Orange, NJ 07052 has made application for a person to person and place to place (extension of premises) transfer for the above-mentioned license; and

WHEREAS, the principal has been investigated by the Township Police Department with no impediments to an interest in an alcoholic beverage license; and

WHEREAS, due notice of the proposed transfer was published in the West Orange Chronicle on December 10, 2020 and December 17, 2020 and appropriate fees have been paid by the applicant to the NJ Division of Alcoholic Beverage in the amount of \$200.00 and to the Township of West Orange in the amount of \$227.04; and

WHEREAS, a public hearing was conducted on April 20, 2021 and no one appeared in opposition thereto; and

WHEREAS, Robert C. Williams, Esq. attorney for the transferee presented the application to the ABC Board on April 20, 2021 and was available to answer any questions posed by the Board;

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of West Orange hereby authorizes the person to person and place to place transfer of Plenary Retail Consumption License No. 0722-33-031-007 from Anchor Restaurant, LLC, 290 Watchung Avenue, West Orange, NJ 07052 to, 2001 Proof, LLC, 178 Main Street, West Orange, NJ 07052 t/a Parkside Bar & Grill is hereby approved.

**Karen J. Carnevale, R.M.C., Municipal Clerk/
ABC Board Secretary**

**Cindy Matute-Brown, Council President/
ABC Chairperson**

Adopted: April 20, 2021