

1. Conference Meeting Agenda

Documents:

[CA 5.16.23.PDF](#)

2. Public Meeting Agenda

Documents:

[PM 5.16.23.PDF](#)

3. Resolution(S)

3.I. 173-23

Documents:

[173-23 RESOLUTION COMPETITIVE CONTRACT FOR GRANT WRITING SERVICES.PDF](#)

3.II. 174-23

Documents:

[174-23 RESOLUTION ABANDONED CARS 051523.PDF](#)

3.III. 175-23

Documents:

[175-23 RESOLUTION - PUBLIC HEALTH FUNDING SUPPORT.PDF](#)

3.IV. 176-23

Documents:

[176-23 RESOLUTION AMENDING 4-11.4 \(SHOPPING CARTS\).PDF](#)

3.V. 177-23

Documents:

[177-23 RESOLUTION AMENDING 4-20.3.PDF](#)

3.VI. 178-23

Documents:

[178-23 RESOLUTION AMENDING 4-29.2.PDF](#)

3.VII. 179-23 Removed

3.VIII. 180-23

Documents:

[180-23 RESOLUTION AMENDING 5-1.14.PDF](#)

3.IX. 181-23

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[181-23 RESOLUTION AMENDING 5-2.4.PDF](#)

3.X. 182-23

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[182-23 RESOLUTION AMENDING 5-3.3.PDF](#)

3.XI. 183-23

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[183-23 RESOLUTION AMENDING 5-5.1.PDF](#)

3.XII. 184-23

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[184-23 RESOLUTION AMENDING 5-6.4.PDF](#)

3.XIII. 185-23

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[185-23 RESOLUTION AMENDING 5-7.2.PDF](#)

3.XIV. 186-23

Documents:

[186-23 RESOLUTION AMENDING 5-8.3.PDF](#)

3.XV. 187-23

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[187-23 RESOLUTION AMENDING 5-9.2.PDF](#)

3.XVI. 188-23

Documents:

[188-23 RESOLUTION AMENDING 5-10.4.PDF](#)

3.XVII. 189-23

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[189-23 RESOLUTION AMENDING 5-11.1.PDF](#)

3.XVIII. 190-23

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[190-23 RESOLUTION AMENDING 5-12.5.PDF](#)

3.XIX. 191-23

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3.XX. 192-23

Documents:

[192-23 RESOLUTION AMENDING 5-13.2.PDF](#)

3.XXI. 193-23

Documents:

[193-23 RESOLUTION AMENDING 5-17.3.PDF](#)

3.XXII. 194-23

Documents:

[194-23 RESOLUTION AMENDING 5-21.5.PDF](#)

3.XXIII. 195-23

Documents:

[195-23 RESOLUTION AMENDING 5-22.4.PDF](#)

3.XXIV. 196-23

Documents:

[196-23 RESOLUTION AMENDING 5-25.4.DOC](#)

3.XXV. 197-23

Documents:

[197-23 RESOLUTION AMENDING 5-24.5.PDF](#)

3.XXVI. 198-23

Documents:

[198-23 RESOLUTION AMENDING 5-31.11.PDF](#)

3.XXVII. 199-23

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[199-23 RESOLUTION AMENDING 5-27.4.PDF](#)

3.XXVIII. 200-23

Documents:

[200-23 RESOLUTION AMENDING 5-32.6.PDF](#)

3.XXIX. 201-23

Documents:

[201-23 RESOLUTION AMENDING 5-33.6.PDF](#)

3.XXX. 202-23

Documents:

[202-23 RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH FAT DADDYZ FOR OPERATION OF CONCESSION STAND AT GINNY DUENKEL POOL - 2023.PDF](#)
[202-23 EXHIBITS TO RESOLUTION AUTHORIZING AGREEMENT WITH FAT DADDYZ FOR CONCESSION AT GINNY GUENKEL POOL - 2023.PDF](#)
[202-23 AGREEMENT.PDF](#)
[202-23 EXHIBITS TO AGREEMENT WITH FAT DADDYZ FOR CONCESSION AT GINNY GUENKEL POOL - 2023.PDF](#)

3.XXXI. 203-23

Documents:

[203-23 FIRE HOUSE NO. 3 WALL REPLACEMENT-KULPEKSA LANDSCAPING.PDF](#)
[203-23 - COPY OF FIRE STATION NO. 3 WALL REPLACEMENT BASE BID.PDF](#)
[203-23 COPY OF FIRE STATION NO. 3 WALL REPLACEMENT ALTERNATE BID.PDF](#)
[203-23 BID WITHDRAW FIRE STATION NO 3 WALL REPLACE.PDF](#)

3.XXXII. 204-23

Documents:

[204-23 MAINTENANCE OF VARIOUS TOWN OWNED PARCELS - EXTENSION OF CONTRACT 2023.PDF](#)
[204-23 ATTACHMENT - RESOLUTION 60-22.PDF](#)

3.XXXIII. 205-23

Documents:

[205-23 FY2024 MUNICIPAL AID- RESOLUTION-WEST ORANGE.PDF](#)

3.XXXIV. 206-23

Documents:

[206-23 DUPLICATE PAYMENT RESOLUTION-SECOND QTR. 2023.PDF](#)

3.XXXV. 207-23

Documents:

[207-23 TAX EXEMPT - VETERAN - 59 NANCE AND 295 NORTHFIELD.PDF](#)

3.XXXVI. 208-23

Documents:

[208-23 AUTHORIZING ADAAS CONTRACT.PDF](#)

[208-23 ADAAS-EXHIBIT A.PDF](#)

[208-23 ADAAS-EXHIBIT B.PDF](#)

3.XXXVII. 209-23

Documents:

[209-23 AUTHORIZING DHMAS CONTRACT.PDF](#)

[209-23 DHMAS-EXHIBIT A.PDF](#)

[209-23 DHMAS-EXHIBIT B.PDF](#)

3.XXXVIII. 210-23

Documents:

[210-23 RESOLUTION AUTHORIZING AGREEMENT FOR APPRAISAL SERVICES FOR THE REVALUATION PROGRAM AND REVIEW OF CLASS IV PROPOSED VALUATION - 2023.PDF](#)

[210-23 EXHIBIT TO AGREEMENT-HENDRICKS APPRAISAL COMPANY LLC.PDF](#)

[210-23 WEST-ORANGE-REVAL-CLASS-4-REVIEW-AGREEMT.PDF](#)

3.XXXIX. 211-23

Documents:

[211-23 RESOLUTION AUTHORIZING APPRAISAL FOR ESSEX EQUESTRIAL CENTER PER REQUEST FROM OPEN SPACE AND RECREATION COMMISSION.PDF](#)

[211-23 EXHIBIT.PDF](#)

3.XL. 212-23

Documents:

[212-23 WHEELER STREET ROADWAY SANITARY IMPROVEMENTS PROJECT.PDF](#)

[212-23 SUMMARY OF BIDS.PDF](#)

3.XLI. 213-23

Documents:

[213-23 RAFFLE LICENSES 5.16.23.PDF](#)

3.XLII. 214-23

Documents:

[214-23 AUTHORIZING TO PURCHASE ELECTRONIC MANAGEMENT SOFTWARE THROUGH NJ COOPERATIVE PURCHASING ALLIANCE.PDF](#)
[214-23 SHI QUOTE-23397020.PDF](#)
[214-23 REVISED MUNICIPALITY 5 PROPOSAL - 5.5.23.PDF](#)

3.XLIII. 215-23

Documents:

[215-23 EXECUTIVE SESSION 5.16.23.PDF](#)

4. Ordinance(S) On Second And Final Reading

4.I. 2741-23

Documents:

[2741-23 ORDINANCE AMENDING CHAPTER 5 SECTIONN 25.9\(C\) MESSAGE BUSINESSES.PDF](#)

4.II. 2742-23

Documents:

[2742-23 PARKING FOR UNDERCLIFF TERRACE SOUTH NORTHERLY.PDF](#)

4.III. 2743-23

Documents:

[2743-23-AMENDING CH. 4-11.4-REDLINED.PDF](#)

4.IV. 2744-23

Documents:

[2744-23 AMENDING CH. 4-20.3-AMENDED ORDINANCE-REDLINED.PDF](#)

4.V. 2745-23

Documents:

[2745-23 AMENDING CH. 5-1.14-REDLINED.PDF](#)

4.VI. 2746-23

Documents:

[2746-23 AMENDING CH. 5-2.4-REDLINED.PDF](#)

4.VII. 2747-23

Documents:

[2747-23 AMENDING 4-29.2-REDLINED.PDF](#)

4.VIII. 2748-23

Documents:

[2748-23 AMENDING CH. 4-34.3-REDLINED.PDF](#)

4.IX. 2749-23

Documents:

[2749-23 AMENDING 5-3.3-REDLINED.PDF](#)

4.X. 2750-23

Documents:

[2750-23 AMENDING 5-5.1-REDLINED.PDF](#)

4.XI. 2751-23

Documents:

[2751-23 AMENDING CH. 5-6.4-REDLINED.PDF](#)

4.XII. 2752-23

Documents:

[2752-23 AMENDING CH. 5-7.2-REDLINED.PDF](#)

4.XIII. 2753-23

Documents:

[2753-23 AMENDING CH. 5-8.3-REDLINED.PDF](#)

4.XIV. 2754-23

Documents:

[2754-23 AMENDING CH. 5-9.2-REDLINED.PDF](#)

4.XV. 2755-23

Documents:

[2755-23 AMENDING CH. 5-12.10-REDLINED.PDF](#)

4.XVI. 2756-23

Documents:

[2756-23 AMENDING CH. 5-12.5-REDLINED.PDF](#)

4.XVII. 2757-23

Documents:

[2757-23 AMENDING CH. 5-11.1-REDLINED.PDF](#)

4.XVIII. 2758-23

Documents:

[2758-23 AMENDING CH. 5-10.4-REDLINED.PDF](#)

4.XIX. 2759-23

Documents:

[2759-23 AMENDING CH. 5-13.2-REDLINED.PDF](#)

4.XX. 2760-23

Documents:

[2760-23 AMENDING CH. 5-17.3-REDLINED.PDF](#)

4.XXI. 2761-23

Documents:

[2761-23 AMENDING CH. 5-21.5-REDLINED.PDF](#)

4.XXII. 2762-23

Documents:

[2762-23 AMENDING CH. 5-22.4-REDLINED.PDF](#)

4.XXIII. 2763-23

Documents:

[2763-23 AMENDING CH. 5-25.4-REDLINED.PDF](#)

4.XXIV. 2764-23

Documents:

[2764-23 AMENDING CH. 5-24.5-REDLINED.PDF](#)

4.XXV. 2765-23

Documents:

[2765-23 AMENDING CH. 5-31.11-REDLINED.PDF](#)

4.XXVI. 2766-23

Documents:

[2766-23 AMENDING CH. 5-27.4-REDLINED.PDF](#)

4.XXVII. 2767-23

Documents:

[2767-23 AMENDING CH. 5-32.6-REDLINED.PDF](#)

4.XXVIII. 2768-23

Documents:

[2768-23 AMENDING CH. 5-33.6-REDLINED.PDF](#)

4.XXIX. 2769-23

Documents:

[2769-23 AMENDING CH. 5-15.3-REDLINED.PDF](#)

5. Ordinance(S) On First Reading

5.I. 2771-23

Documents:

[2771-23 BOND ORD. - VARIOUS CAPITAL IMPROVEMENTS - WEST ORANGE \(5.16.23\).PDF](#)

5.II. 2772-23

Documents:

[2772-23 REVISED ORDINANCE GOVERNING CANNABIS BUSINESSES - CONSOLIDATED - REDLINED.PDF](#)

5.III. 2773-23

Documents:

[2773-23 ORDINANCE AMENDING CHAPTER 2 SECTIONS 8.1 AND SECTION 8.7 REDLINED.PDF](#)

Township of West Orange
CONFERENCE MEETING AGENDA
Council Chambers – 66 Main Street
Tuesday, May 16, 2023
Meeting No. 12

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 23, 2022 and published in the West Orange Chronicle on December 1, 2022.

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

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6:30 P.M.

- **Mayor's Proclamation: National Gun Violence Awareness Day-June 2, 2023**
- **Mayor's Proclamation: Food Allergy Awareness Week – May 14-20, 2023**
- **Presentation on Mental Health Awareness - Doc Sunne Smith**
- **Council Liaison Announcements**
- **Public Meeting – 7:00 p.m.**

REVISED
PUBLIC MEETING AGENDA
Township of West Orange
66 Main Street – 7:00 p.m.
May 16, 2023
Meeting No. 12

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 23, 2022 and published in the West Orange Chronicle on December 1, 2022.

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 Ghebremicael, Councilman Rutherford, Councilwoman Scarpa, Council President Williams, Mayor McCartney

- 1. Public Comment**
- 2. *Consent Agenda**
- 3. *Approval of Minutes of Previous Meeting – Public Meeting – May 2, 2023**
- 4. *Report of Township Officers – None**
- 6. *Reading of Petitions and Communications and Bids - None**
- 7. *Bills- December 31, 2022, April 26, 2023 and May 16, 2023**
- 8. *Resolutions**
 - a. 173-23 Resolution Authorizing Competitive Contracting Process for Grant Writing Services (Reynolds)**
 - b. 174-23 Resolution Authorizing an Abandoned Car Auction (Reynolds)**
 - c. 175-23 Resolution In Support Of Legislation Reinstating Public Health Priority Funding (DeNova)**
 - d. 176-23 Resolution Prescribing Fees Set Forth In Chapter 4, Section 11.4 Of The Revised General Ordinances And Ordinance 2743-23 (Shopping Carts: Impounding Fee) (Legal-Gengaro)**
 - e. 177-23 Resolution Prescribing Fees As Set Forth In Chapter 4, Section 20.3 Of The Revised General Ordinances And Ordinance 2744-23 (Insufficient Funds-Service Charge) (Legal-Gengaro)**
 - f. 178-23 Resolution Prescribing As Fees Set Forth In Chapter 4, Section 29.2 Of The Revised General Ordinances And Ordinance 2747-23 (Parking Of Residential Vehicles Prohibited) (Legal-Gengaro)**
 - g. 179-23 Resolution Prescribing As Fees Set Forth In Chapter 4, Section 34.3 Of The Revised General Ordinances And Ordinance 2748-23 (Extra Duty Employment For Police Officers-Rates Of Compensation; Administrative Fees; Payment For Services) (Legal-Gengaro)**

This resolution is being pulled from the agenda because the body of the resolution duplicated 178-23. The corrected resolution will be placed on the 6.13.23 agenda.

- h. 180-23** Resolution Prescribing As Fees Set Forth In Chapter 5, Section 1.14 Of The Revised General Ordinances And Ordinance 2745-23 (General Licensing Procedures-Fee Schedule) (Legal-Gengaro)
- i. 181-23** Resolution Prescribing As Fees Set Forth In Chapter 5, Section 2.4 Of The Revised General Ordinances And Ordinance 2746-23 (Peddlers-Commercial Permit Application And Fee Advertisement) (Legal-Gengaro)
- j. 182-23** Resolution Prescribing As Fees Set Forth In Chapter 5, Section 3.3 Of The Revised General Ordinances And Ordinance 2749-23 (Transient Merchants-License Fee; Payment Before Sale; Terms Of License) (Legal-Gengaro)
- k. 183-23** Resolution Prescribing As Fees Set Forth In Chapter 5, Section 5.1 Of The Revised General Ordinances And Ordinance 2750-23 (Auctioneers-License Required) (Legal-Gengaro)
- l. 184-23** Resolution Prescribing As Fees Set Forth In Chapter 5, Section 6.4 Of The Revised General Ordinances And Ordinance 2751-23 (Theaters-Issuance Of License; Fee) (Legal-Gengaro)
- m. 185-23** Resolution Prescribing As Fees Set Forth In Chapter 5, Section 7.2 Of The Revised General Ordinances And Ordinance 2752-23 (Public Dance Halls And Public Dances-License Required; Fee) (Legal-Gengaro)
- n. 186-23** Resolution Prescribing As Fees Set Forth In Chapter 5, Section 8.3 Of The Revised General Ordinances And Ordinance 2753-23 (Retail Food Establishments-Fees) (Legal-Gengaro)
- o. 187-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 9.2 Of The Revised General Ordinances And Ordinance 2754-23 (Food And Beverage Vending Machines-Permit And License Fees) (Legal-Trenk) (Legal-Gengaro)
- p. 188-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 10.4 Of The Revised General Ordinances And Ordinance 2758-23 (Outdoor Cafes: Fees) (Legal-Gengaro)
- q. 189-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 11.1 Of The Revised General Ordinances And Ordinance 2757-23 (Coin Operating Business: License Required) (Legal-Gengaro)
- r. 190-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 12.5 Of The Revised General Ordinances And Ordinance 2756-23 (Mechanical and Electronic Amusement Devices: License Required) (Legal-Gengaro)
- s. 191-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 12.10 Of The Revised General Ordinances And Ordinance 2755-23 (Jukeboxes) (Legal-Gengaro)
- t. 192-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 13.2 Of The Revised General Ordinances And Ordinance 2759-23 (Garage Sales: License Required; Fee) (Legal-Gengaro)
- u. 193-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 17.3 Of The Revised General Ordinances And In Ordinance 2760-23 (Dealers In Secondhand Jewelry And Precious Metals: Licenses Fees; Expiration Of License) (Legal-Gengaro)
- v. 194-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 21.5 Of The Revised General Ordinances And In Ordinance 2761-23 (Licensing Of Contractors; License Fees And Term) (Legal-Gengaro)
- w. 195-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 22.4 Of The Revised General Ordinances And In Ordinance 2762-23 (Licensing Of Public Telephones; License Fees And Term) (Legal-Gengaro)
- x. 196-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 25.4 Of The Revised General Ordinances And In Ordinance 2763-23 (Massage Business; Application Fees) (Legal-Gengaro)
- y. 197-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 24.5 Of The Revised General Ordinances And In Ordinance 2764-23 (News Vending Machines; Conditions For Permit; Hold Harmless Insurance Required) (Legal-Gengaro)

- z. 198-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 31.11 Of The Revised General Ordinances And In Ordinance 2765-23 (Alarm Systems; Violations And Penalties) (Legal-Gengaro)
- aa. 199-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 27.4 Of The Revised General Ordinances And In Ordinance 2766-23 (Licensing And Registration Of Tree Care Professionals) (Legal-Gengaro)
- bb. 200-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 32.6 Of The Revised General Ordinances And In Ordinance 2767-23 (Police Requested Towing And Storage Services; Fees) (Legal-Gengaro)
- cc. 201-23** Resolution Prescribing Fees As Set Forth In Chapter 5, Section 33.6 Of The Revised General Ordinances And In Ordinance 2768-23 (Licensing For “Shop Local” Reward Programs; Application And License Fees) (Legal-Gengaro)
- dd. 202-23** Resolution Authorizing Execution of an Agreement with Fat Daddy's for Operation of Concession Stand at Ginny Duenkel Pool – 2023 (Reynolds)
- ee. 203-23** Resolution Authorizing A Contract For The Fire Station No. 3 Wall Replacement to Kulpeksa Landscaping Corp., 248 Franklin Avenue, Rockaway, NJ 07866, In The Amount Of \$318,175.00 Which Represents The Base Bid Of \$292,875.00, And An Alternate Bid Of \$25,300.00 (Carballo)
- ff. 204-23** Resolution Authorizing The Extension Of The Contract Entitled “The Maintenance Of Various Township Owned Parcels, Including Turf Maintenance, Litter And Debris Collection And Disposal, Weed Control And Fall Leaf Collection And Disposal” To D’Onofrio And Son, Inc., Landscaping, 47 Van Ness Terrace, Maplewood, for a Second Year For The Period Beginning April 1, 2023 And Ending November 30, 2023 For The Same Services In The Amount Of \$184,500.00. (Carballo)
- gg. 205-23** Resolution Authorizing Approval To Submit A Grant Application And Execute A Grant Contract With The New Jersey Department Of Transportation For The Morris Road, Sussex Road And Hunterdon Road Improvements Project (Gross)
- hh. 206-23** Resolution Authorizing The Collector Of Taxes To Refund Payment To The Listed Taxpayer Due To An Overpayment Of Taxes Due To A Duplicate Payment (K. Longo)
- ii. 207-23** Resolution Authorizing The Collector Of Taxes To Refund Payment To The Listed Taxpayer Due To Veteran Exemption (K. Longo)
- jj. 208-23** Resolution Authorizing The Agreement Between The County Of Essex, Township Of West Orange And State Of New Jersey To Receive Grant Funding From The Governor’s Council On Alcoholism And Drug Abuse To Provide Alcoholism/Drug Services (L. VanDyke)
- kk. 209-23** Resolution Authorizing The Agreement Between The County Of Essex, Township Of West Orange And State Of New Jersey To Receive Grant Funding From The Governor’s Council On DHMAS Youth Leadership (L. VanDyke)
- ll. 210-23** Resolution Authorizing Agreement for Appraisal Services for the Revaluation Program and Review of Class IV Proposed Valuation – 2023 (Gross)
- mm. 211-23** Resolution Authorizing an Appraisal of the Essex Equestrian Center on Woodland Ave (Legal-Trenk)
- nn. 212-13** Resolution Authorizing a Contract for the Project Wheeler Street Roadway and Sanitary Improvements Project be Awarded to Reggio Construction Inc., 416 E. Central Boulevard, Palisades Park, New Jersey 07650, in the Amount of \$685,520.00. (Carballo)
- oo. 213-23** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)

pp. 214-23 Resolution To Authorize The Purchase Of Electronic Management Hardware/Software Through The NJ Cooperative Purchasing Alliance (Smeraldo)

qq. 215-23 Resolution Authorizing an Executive Session for the Purpose of Discussing Special Counsel

9. Ordinances on Second and Final Reading

- a. 2741-23** An Ordinance Amending Chapter 5, Section 25.9(C) Of The Revised General Ordinances Of The Township Of West Orange (Massage Businesses) (Legal-Trenk)
- b. 2742-23** An Ordinance Amending And Supplementing Chapter 7, Traffic, Subsection 7-7.3, Temporary Parking Prohibition For Snow Plowing And Removal, Subsection 7-12 Parking Prohibited For Street Cleaning And Maintenance, 7-13 No Parking Anytime, And 7-14.1c Night Parking Prohibited, Of The Revised General Ordinances Of The Township Of West Orange (Carballo)
- c. 2743-23** An Ordinance Amending Chapter 4, Section 11.4 Of The Revised General Ordinances Of The Township Of West Orange (Shopping Carts: Impounding Fee) (Resolution 176-23) (Legal-Trenk)
- d. 2744-23** An Ordinance Amending Chapter 4, Section 20.3 Of The Revised General Ordinances Of The Township Of West Orange - (Insufficient Funds-Service Charge) (Legal-Trenk) (Resolution 177-23)
- e. 2745-23** An Ordinance Amending Chapter 5, Section 1.14 Of The Revised General Ordinances Of The Township Of West Orange (General Licensing Procedures-Fee Schedule) (Legal-Trenk) (Resolution 180-23)
- f. 2746-23** An Ordinance Amending Chapter 5, Section 2.4 Of The Revised General Ordinances Of The Township Of West Orange (Peddlers-Commercial Permit Application And Fee Advertisement) (Legal-Trenk) (Resolution 181-23)
- g. 2747-23** An Ordinance Amending Chapter 4, Section 29.2 Of The Revised General Ordinances Of The Township Of West Orange (Parking Of Residential Vehicles Prohibited) (Legal-Trenk) (Resolution 178-23)
- h. 2748-23** An Ordinance Amending Chapter 4, Section 34.3 Of The Revised General Ordinances Of The Township Of West Orange (Extra Duty Employment For Police Officers-Rates Of Compensation; Administrative Fees; Payment For Services) (Resolution 179-23) (Legal-Trenk)
Due to the error on resolution 179-23, the public hearing for this ordinance will be held, as advertised, but the approval of the ordinance will take place on 6.13.23.
- i. 2749-23** An Ordinance Amending Chapter 5, Section 3.3 Of The Revised General Ordinances Of The Township Of West Orange (Transient Merchants-License Fee; Payment Before Sale; Terms Of License) (Resolution 182-23) (Legal-Trenk)
- j. 2750-23** An Ordinance Amending Chapter 5, Section 5.1 Of The Revised General Ordinances Of The Township Of West Orange (Auctioneers-License Required) (Legal-Trenk) (Resolution 183-23)
- k. 2751-23** An Ordinance Amending Chapter 5, Section 6.4 Of The Revised General Ordinances Of The Township Of West Orange (Theaters-Issuance Of License; Fee) (Legal-Trenk) (Resolution 184-23)
- l. 2752-23** An Ordinance Amending Chapter 5, Section 7.2 Of The Revised General Ordinances Of The Township Of West Orange (Public Dance Halls And Public Dances-License Required; Fee) (Legal-Trenk) (Resolution 185-23)
- m. 2753-23** An Ordinance Amending Chapter 5, Section 8.3 Of The Revised General Ordinances Of The Township Of West Orange (Retail Food Establishments-Fees) (Legal-Trenk) (Resolution 186-23)
- n. 2754-23** An Ordinance Amending Chapter 5, Section 9.2 Of The Revised General Ordinances Of The Township Of West Orange (Food And Beverage Vending Machines-Permit And License Fees) (Legal-Trenk) (Resolution 187-23)

- o. 2755** An Ordinance Amending Chapter 5, Section 12.10 Of The Revised General Ordinances Of The Township Of West Orange (Jukeboxes) (Legal-Trenk) (Resolution 191-23)
- p. 2756-23** An Ordinance Amending Chapter 5, Section 12.5 Of The Revised General Ordinances Of The Township Of West Orange (Mechanical and Electronic Amusement Devices: License Required) (Legal-Trenk) (Resolution 190-23)
- q. 2757-23** An Ordinance Amending Chapter 5, Section 11.1 Of The Revised General Ordinances Of The Township Of West Orange (Coin Operating Business: License Required) (Legal-Trenk) (Resolution 189-23)
- r. 2758-23** An Ordinance Amending Chapter 5, Section 10.4 Of The Revised General Ordinances Of The Township Of West Orange (Outdoor Cafes: Fees) (Legal-Trenk) (Resolution 188-23)
- s. 2759-23** An Ordinance Amending Chapter 5, Section 13.2 Of The Revised General Ordinances Of The Township Of West Orange (Garage Sales: License Required; Fee) (Legal-Trenk) (Resolution 192-23)
- t. 2760-23** An Ordinance Amending Chapter 5, Section 17.3 Of The Revised General Ordinances Of The Township Of West Orange (Dealers In Secondhand Jewelry And Precious Metals: Licenses Fees; Expiration Of License) (Legal-Trenk) (Resolution 193-23)
- u. 2761-23** An Ordinance Amending Chapter 5, Section 21.5 Of The Revised General Ordinances Of The Township Of West Orange (Licensing Of Contractors; License Fees And Term) (Legal-Trenk) (Resolution 194-23)
- v. 2762-23** An Ordinance Amending Chapter 5, Section 22.4 Of The Revised General Ordinances Of The Township Of West Orange (Licensing Of Public Telephones; License Fees And Term) (Legal-Trenk) (Resolution 195-23)
- w. 2763-23** An Ordinance Amending Chapter 5, Section 25.4 Of The Revised General Ordinances Of The Township Of West Orange (Massage Business; Application Fees) (Legal-Trenk) (Resolution 196-23)
- x. 2764-23** An Ordinance Amending Chapter 5, Section 24.5 Of The Revised General Ordinances Of The Township Of West Orange (News Vending Machines; Conditions For Permit; Hold Harmless Insurance Required) (Legal-Trenk) (Resolution 197-23)
- y. 2765-23** An Ordinance Amending Chapter 5, Section 31.11 Of The Revised General Ordinances Of The Township Of West Orange (Alarm Systems; Violations And Penalties) (Legal-Trenk) (Resolution 198-23)
- z. 2766-23** An Ordinance Amending Chapter 5, Section 27.4 Of The Revised General Ordinances Of The Township Of West Orange (Licensing And Registration Of Tree Care Professionals) (Legal-Trenk) (Resolution 199-23)
- aa. 2767-23** An Ordinance Amending Chapter 5, Section 32.6 Of The Revised General Ordinances Of The Township Of West Orange (Police Requested Towing And Storage Services; Fees) (Legal-Trenk) (Resolution 200-23)
- bb. 2768-23** An Ordinance Amending Chapter 5, Section 33.6 Of The Revised General Ordinances Of The Township Of West Orange (Licensing For “Shop Local” Reward Programs; Application And License Fees) (Legal-Trenk) (Resolution 201-23)
- cc. 2769-23** An Ordinance Amending Chapter 5, Section 15.3 Of The Revised General Ordinances Of The Township Of West Orange (Distribution Of Papers And Other Printed Materials) (Legal-Trenk)

10. Ordinances on First Reading

- a. 2771-23** Bond Ordinance Providing For Various 2023 Capital Improvements, By And In The Township Of West Orange, In The County Of Essex, State Of New Jersey, Appropriating \$6,000,000 Therefor And Authorizing The Issuance Of \$5,714,285 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof (Gross)
- b. 2772-23** An Ordinance Amending Chapter 5, Section 34.3, Section 34.4, Section 34.5 and Section 34.6 and Chapter 25, Section 24.2 of the Revised General Ordinances of the Township of West Orange (Licensed Cannabis Entities)

- c. **2773-23** An Ordinance Amending Chapter 2, Sections 8.1 And Section 8.7 Of The Revised General Ordinances Of The Township Of West Orange (Department Of Administration And Finance; Department Generally; Division Of Accounts And Control) (Gross)

11. Pending Matters/New Matters/Council Discussion

- Consensus Appointment – Zoning Board – Alternate No. 4
- Resolution of No Support for Township Attorney Richard Trenk
- Resolution to Defund Legal Defense for Covid Vaccine Mandate Litigation Involving Police and Firefighters
- Resolution Separating Chief Financial Officer and Business Administrator Roles

12. ABC Hearing - None

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.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/85637613782?pwd=anp1SkdVRWdEZkF6TVI0bTJ2S1pGUT09>

Webinar ID: 856 3761 3782

Passcode: 900956

Next Meeting Date(s):

Township Council Meeting – June 13, 2023

RESOLUTION AUTHORIZING COMPETITIVE CONTRACTING PROCESS

This resolution will allow the Township to prepare a request for proposal in which the Competitive contracting methodology will be used according to State Statute. The proposal will be prepared with the ranking of criteria so an award can be made based on multiple factors.

WHEREAS, the Township of West Orange (the “Township”) is in need of Grant Writing Services; and

WHEREAS, the Township seeks the services of a professional and experienced Grant Writing firm to function as the Township’s Grant Writer; and

WHEREAS, under the Local Public Contracts Law (the “LCPL”) N.J.S.A. 40A:11-4.1 (q) authorizes the Township to utilize competitive contracting in lieu of the standard public bidding process for procurement of specialized goods and services where the price exceeds the bid threshold; and

WHEREAS, competitive contracting in lieu of public bidding allows the Township to evaluate and score proposals based on weighted criteria, including technical, management and cost related criteria to ensure that the most professional operator is obtained to meet the needs of the Township; and

WHEREAS, N.J.S.A. 40A:11-4.3 of the LPCL requires that the Township Council adopt a resolution authorizing to utilize competitive contracting in order to initiate the process.

NOW HEREBY BE IT RESOLVED, by the Council of the Township of West Orange, that the Township be and hereby authorized to utilize competitive contracting to solicit and review proposals for the contract for Grant Writer Consulting Services.

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

Tammy Williams
Council President

Adopted: May 16, 2023

RESOLUTION
ABANDONED CAR AUCTION

Vehicles in violation, accidents, and/or abandoned will be towed off the street by a licensed Towing Company designated by the Township. The Township is authorized to sell at Public Auction unclaimed vehicles pursuant to State and Local Laws.

BE IT RESOLVED, by the Township Council of the Township of West Orange that the following recovered motor vehicles will be sold at Public Auction as described below:

The Purchasing Agent is hereby authorized to sell Fifty-Five (55) transferable vehicle title(s) in the manner set forth in N.J.S.A. 39:10A-1 and N.J.S.A. 40A:14-157. Date and time of sale is scheduled for Thursday, June 1, 2023 at 3:00 PM in following location:

C&L Towing
38 Deforest Avenue
East Hanover, NJ 07936

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

Tammy Williams
Council President

ABANDONED CAR AUCTION NOTICE

In accordance with N.J.S.A. 39:10A-1 and N.J.S.A. 40A:14-157 the Township of West Orange will hold for sale at public auction on Thursday June 1, 2023 at 3:00 pm prevailing time, the vehicles listed below. Sale will be held and vehicles may be inspected at C & L Towing 38 Deforest Avenue, East Hanover, NJ 07936

YEAR	MAKE	VIN
2006	LAND	SALFS25406A972109
2012	KIA	5XXGM4A79CG080973
2010	MIT	4A32B2FF5AE007411
1998	DODG	1B3ES47C7WD710877
2000	FORD	1FBSS31L4YHC06517
2009	MIT	4A3AB36F79E016186
2002	NISS	3N1CB51DX2L656754
2015	RPS	L0WHDN105F1001105
2008	HOND	2HGFG12958H505550
2017	FORD	1FMCU9GD7HUD02898
2005	SUBAR	4S4BP62C457378881
2008	MIT	4A3AK64F98E033638
2011	CAD	3GYFNDEYXBS620894
2001	TOY	4T1BF28BX1U129202
2009	TOY	JTKDE167090292221
2006	VW	3VWST71K16M752754
2005	FORD	1FTPW14545FB56510
2010	FORD	2FMHK6DCXABB36765
2008	CHEV	2G1WT58KX81234210
2013	DODG	1C3CDZAGXDN769359
2005	DODG	1D4GP25B45B257547
2003	FORD	1FAFP53U83G226192
2004	MERCBENZ	WDBRF81J74F494029
2007	SAAB	YS3FD49Y771003943
2007	MAZD	JM3ER29L770121890
2000	CHEV	1G1NE52J6Y6300217
2002	DODG	1B8HS58N02F141530
2004	TOY	4T1BF30K22U508987
2006	CHRY	2A4GP54L16R692533
2012	KIA	5XYKUDA2XCG236433
2001	NISS	1N4DL01D11C225799
2003	JEEP	1J4GL48K83W584615
2008	INF	JNKBV61F48M263479
2009	HYU	5NPET46C39H428683
2008	SUB	4S4BP62C787357768
1995	BMW	WBAGJ6329SDH96139
1999	CHEV	1GCFG29M4X1148843
1999	SUB	4S3BG6851X7622387
2006	BUICK	3G5DB03L26S615837
2004	NISS	JN8AZ08W74W321947
2007	NISS	1N6AD06W17C413748
2011	MAZD	1YVHZ8BHXB5M07821
2007	DODG	2D4GP44LX7R271365

2003	MINI COOP	WMWRC33413TJ52058
2004	MAZD	JM1FE173040104737
1996	HOND	1HGEJ6604TL010743
2006	SATUR	1G8AJ55F96Z156404
2008	FORD	1FTNE24WX8DA68988
1998	TOY	JTBG22K5W0110770
2004	JEEP	1J4GW48S34C370027
2002	CHEV	2G1WH55K929386011
2010	LEXUS	2T2BK1BA2AC074084
2012	MERC BENZ	WDDGF8BB1CA709115
2006	BMW	WBAVB175X6NK40513
2009	BUICK	2G4WN58C491178837

All of the above vehicles shall be sold as transferable titles. Sales are subject to payment of all accumulated towing and storage charges. A 25% deposit will be required in cash and the balance payable in 24 hrs. Vehicles will be removed from the storage premises at buyer's expense within 48 hours of the sale date.

Panayiota Reynolds, QPA
Township of West Orange

**WEST ORANGE HEALTH DEPARTMENT
66 MAIN STREET
WEST ORANGE, NJ 07052**

**RESOLUTION 175-23
IN SUPPORT OF LEGISLATION REINSTATING PUBLIC HEALTH PRIORITY
FUNDING**

WHEREAS, the West Orange Health Department provides public health services to the Township of West Orange and Borough of Essex Fells, and;

WHEREAS, the West Orange Health Department has held and continues to hold a position in support of providing increased sustained funding to local public health, and;

WHEREAS, Public Health Priority Funding, although statutorily required, has not been provided to local public health departments since 2011, and;

WHEREAS, on May 9, 2022 the Senate referred Bill No. 2413 requiring minimum annual State appropriation of \$10 million for Public Health Priority Funding to the Senate Health, Human Services and Senior Citizens Committee for consideration, and;

WHEREAS, on June 2, 2022 the Assembly referred Bill No. 4115 to the Assembly Health Committee for consideration, and;

WHEREAS, the Trust for America's Health recognizes that public health has been chronically underfunded¹, and;

WHEREAS, emergency funding is not sufficient to address system weaknesses created by chronic underfunding, and;

WHEREAS, the Robert Wood Johnson Foundation reports that 71% of the public supports increased funding to public health², and;

WHEREAS, the American Public Health Association states that every 10% increase in funding for public health programs has the potential to reduce deaths due to largely preventable causes by up to 7%³, and;

WHEREAS, it is estimated by America's Health Rankings that there is a savings of \$5.60 for every \$1 invested in public health⁴, and;

WHEREAS, the vast majority of local public health departments in New Jersey are funded almost entirely by local funds, and;



NOW, THEREFORE, BE IT RESOLVED, that the West Orange Health Department, County of Essex, State of New Jersey, fully supports the proposed legislation and urges the legislature to pass the bills promptly.

BE IT FURTHER RESOLVED, that upon passage by the New Jersey State Legislature that the West Orange Health Department urges the Governor to sign the bill into law promptly.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Office of the Governor of the State of New Jersey, the State Legislators representing the Township of West Orange, the Speaker of the New Jersey General Assembly, the President of the New Jersey State Senate, the Senate Health, Human Services and Senior Citizens Committee, the Assembly Health Committee, and the Commissioner of the New Jersey Department of Health.

¹ The Trust for America's Health Report www.tfah.org/report-details/funding-report-2022/

² Robert Wood Johnson Poll www.rwjf.org/en/about-rwjf/newsroom/2021/05/poll-public-supports-substantial-increase-in-spending-on-us-public-health-programs.html

³ American Public Health Association funding analysis www.apha.org/-/media/files/pdf/topics/aca/apha_prevfundbrief_june2012.ashx

⁴ America's Health Rankings www.americashealthrankings.org/explore/annual/measure/PH_funding/state/ALL

Signed by:

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

Tammy Williams
Council President

Adopted: May 16, 2023

176-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES SET FORTH IN CHAPTER 4, SECTION 11.4 OF
THE REVISED GENERAL ORDINANCES AND ORDINANCE 2743-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2743-23 (the “Ordinance”), amending Chapter 4, Section 11.4 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 4, Section 11.4 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the following fees shall be prescribed pursuant to the Ordinance: an impounding shopping cart shall be returned to its owner upon payment of a fee of \$10.00, and it is further

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 4, SECTION 20.3
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2744-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2744-23 (the “Ordinance”), amending Chapter 4, Section 20.3 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 4, Section 20.3 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the following fees shall be prescribed pursuant to the Ordinance: \$20.00 imposed on any taxes, fees or other charges due to the Township of West Orange where a check or draft has been submitted to the Township toward the payment of such taxes, fees or other charges, and such check or draft is returned with insufficient funds, and it is further

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

178-23
May 16, 2023

**RESOLUTION PRESCRIBING AS FEES SET FORTH IN CHAPTER 4, SECTION 29.2
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2747-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2747-23 (the “Ordinance”), amending Chapter 4, Section 29.2 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 4, Section 29.2 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the following fees shall be prescribed pursuant to the Ordinance: \$5.00 for a temporary parking permit as described under the Ordinance, and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

180-23
May 16, 2023

**RESOLUTION PRESCRIBING AS FEES SET FORTH IN CHAPTER 5, SECTION 1.14 OF THE
REVISED GENERAL ORDINANCES AND ORDINANCE 2745-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2745-23 (the “Ordinance”), amending Chapter 5, Section 1.14 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 1.14 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

**NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WEST ORANGE**, the following fee schedule be implemented into the Ordinance:

Automatic amusement games	\$250 per year
Blasting,	\$50 per month, \$200 per year
Circulars and handbills	\$20 per person per day
Driving ranges and miniature golf courses	\$200 per year
Junk dealer	\$100 per year
Pawnbroker	\$100 per year
Pool and billiards tables	\$15 per table per year
Shuffleboard	\$20 per year
Tank Trucks	\$100 per year

and it is further

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

**RESOLUTION PRESCRIBING AS FEES SET FORTH IN CHAPTER 5, SECTION 2.4
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2746-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2746-23 (the “Ordinance”), amending Chapter 5, Section 2.4 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 2.4 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fee to be prescribed in section (l) of the Ordinance shall be \$100 per application, except in the case of multiple peddlers working for an entity, or for another peddler, the entity or principal peddler application shall pay the \$100 application fee and each individual peddler shall pay an additional \$50 for their individual permit, for the use of the Township to defray the cost of investigating, processing and issuing the permit, and for the purpose of raising revenue as permitted by N.J.S.A. 40:52-2, and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

182-23
May 16, 2023

**RESOLUTION PRESCRIBING AS FEES SET FORTH IN CHAPTER 5, SECTION 3.3
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2749-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2749-23 (the “Ordinance”), amending Chapter 5, Section 3.3 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 3.3 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fee to be prescribed in the ordinance shall be \$500; and it is further

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

183-23
May 16, 2023

**RESOLUTION PRESCRIBING AS FEES SET FORTH IN CHAPTER 5, SECTION 5.1
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2750-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2750-23 (the “Ordinance”), amending Chapter 5, Section 5.1 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 5.1 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fee shall be set at \$50 per day under the Ordinance, and it is further

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

184-23
May 6, 2023

**RESOLUTION PRESCRIBING AS FEES SET FORTH IN CHAPTER 5, SECTION 6.4
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2751-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2751-23 (the “Ordinance”), amending Chapter 5, Section 6.4 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 6.4 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fees in the Ordinance shall be set forth herein:

License to Operate a motion picture theater	\$150 per screen per year
Play, concert, vaudeville or variety	\$3 for the first day on which the show is conducted and \$1 per day for each additional day
Theaters with capacity under 500 people	\$150 per year
Theaters with seating capacity between 500 and 1,000 people	\$250 per year
Theaters with seating capacity over 1,000 people	\$500 per year

and it is further

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

185-23
May 16, 2023

**RESOLUTION PRESCRIBING AS FEES SET FORTH IN CHAPTER 5, SECTION 7.2
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2752-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2752-23 (the “Ordinance”), amending Chapter 5, Section 7.2 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 7.2 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fee to be set for a license as set forth in the Ordinance shall be \$50.00; and it is further

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

**RESOLUTION PRESCRIBING AS FEES SET FORTH IN CHAPTER 5, SECTION 8.3
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2753-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2753-23 (the “Ordinance”), amending Chapter 5, Section 8.3 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 8.3 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the following fee schedule shall be implemented for yearly license fees for retail establishments as set forth in the Ordinance:

Bakery, Specialty	\$75
Baker, Full Service	\$100
Candy Counters	\$25
Catering, Off Premises Only	\$125
Delicatessen, Grocery, No Seating	\$50
Delicatessen, Grocery, With Seating	\$75
Frozen Dessert, No Seating	\$50
Frozen Dessert, Seating	\$75
Health Care Facility	Bed Capacity up to 40: \$125 Bed Capacity over 40: \$300 Nonprofit: \$250
Itinerant restaurant, Carnival or Fair with	\$50 for first day and an additional \$25 for up to five additional days.

Food	
Meat or Fish Market	\$75
Mobile Retail Food Establishment-Itinerant Restaurant Only	\$50 for first day and an additional \$25 for up to five additional days.
Mobile Truck, Packaged Goods Only	\$125
Packaged Goods Store	\$50
Plant and Commercial Cafeterias	\$125
Restaurant, Luncheonette, Hotel, Country Club or Banquet House	Seating Capacity 0-25 Persons-\$75 Seating Capacity 26-50 Persons: \$100 Seating Capacity 51-100 Persons: \$175 Seating Capacity 101-200 Persons: \$275 Seating Capacity Over 200 Persons: \$400
Schools and Nursery Schools with Food	Profit: \$75 Nonprofit: \$50
Snack Bar	\$50
Supermarket with up to 20,000 square feet	\$150
Supermarket with over 20,000 square feet	\$250
Tavern or Liquor Store without Food Service	\$50

and it is further,

RESOLVED, that the Township Clerk is authorized to attest to the Mayor's signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

187-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 9.2
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2754-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2754-23 (the “Ordinance”), amending Chapter 5, Section 9.2 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 9.2 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the permit and license fee as stated in the Ordinance shall be:

Permit Fee: \$40 per year

License Fees: \$30 for one machine per year and \$15 for each additional machine with a maximum of \$250 for any number of machines;

and it is further,

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 10.4
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2758-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2758-23 (the “Ordinance”), amending Chapter 5, Section 10.4 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 10.4 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fees set forth in the Ordinance shall be prescribed as follows:

Fee for Application for Outdoor Café	\$50
License Fee For Successful Applicant	\$50
License Fee For Successful Applicant With Existing Restaurant	\$2

and it is further,

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

189-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 11.1
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2757-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2757-23 (the “Ordinance”), amending Chapter 5, Section 11.1 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 11.1 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the application for a license as set forth in the Ordinance shall be accompanied by an annual fee of \$2 per machine, and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

190-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 12.5
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2756-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2756-23 (the “Ordinance”), amending Chapter 5, Section 12.5 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 12.5 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the license fee set forth in the Ordinance shall be:

Distributers of Mechanical Amusement Devices	\$250 per machine per year, provided, however, that the total annual license fee charged to a distributor shall not exceed \$2,000.
Operators of Mechanical Amusement Devices	\$50 per machine per year.

and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

191-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 12.10
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2755-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2755-23 (the “Ordinance”), amending Chapter 5, Section 12.10 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 12.10 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the license fee set forth in the Ordinance shall be \$50 per machine per year, and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 13.2
OF THE REVISED GENERAL ORDINANCES AND ORDINANCE 2759-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2759-23 (the “Ordinance”), amending Chapter 5, Section 13.2 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 13.2 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fee for a license as set forth in the Ordinance shall be \$5, and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 17.3
OF THE REVISED GENERAL ORDINANCES AND IN ORDINANCE 2760-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2760-23 (the “Ordinance”), amending Chapter 5, Section 17.3 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 17.3 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fee set forth in the Ordinance shall be: \$100 per year for a permanent-based business; \$25 per day of business for an itinerant business, and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 21.5
OF THE REVISED GENERAL ORDINANCES AND IN ORDINANCE 2761-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2761-23 (the “Ordinance”), amending Chapter 5, Section 21.5 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 21.5 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the application fee set forth in the Ordinance shall be: \$50 and the renewal fee set forth in the Ordinance shall be \$35; and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

195-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 22.4
OF THE REVISED GENERAL ORDINANCES AND IN ORDINANCE 2762-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2762-23 (the “Ordinance”), amending Chapter 5, Section 22.4 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 22.4 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the application fee set forth in the Ordinance shall be: \$250 and the renewal fee set forth in the Ordinance shall be \$150; and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

196-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 25.4
OF THE REVISED GENERAL ORDINANCES AND IN ORDINANCE 2763-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2763-23 (the “Ordinance”), amending Chapter 5, Section 25.4 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 25.4 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the application fee set forth in the Ordinance shall be set forth as follows:

For one massage practitioner: \$250 per year;

For each additional massage practitioner: \$100 per year;

and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

197-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 24.5
OF THE REVISED GENERAL ORDINANCES AND IN ORDINANCE 2764-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2764-23 (the “Ordinance”), amending Chapter 5, Section 24.5 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 24.5 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the permit fee set forth in the Ordinance shall be \$25 per machine, and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

198-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 31.11
OF THE REVISED GENERAL ORDINANCES AND IN ORDINANCE 2765-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2765-23 (the “Ordinance”), amending Chapter 5, Section 31.11 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 31.11 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the penalty set forth in the Ordinance shall be set forth as follows:

For two false alarms in one-year: \$50;

For each additional false alarm in one year: \$100;

and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

199-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 27.4
OF THE REVISED GENERAL ORDINANCES AND IN ORDINANCE 2766-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2766-23 (the “Ordinance”), amending Chapter 5, Section 27.4 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 27.4 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fee as set forth in the Ordinance shall be \$25, and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

200-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 32.6
OF THE REVISED GENERAL ORDINANCES AND IN ORDINANCE 2767-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2767-23 (the “Ordinance”), amending Chapter 5, Section 32.6 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 32.6 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the fee as set forth in the Ordinance shall be \$200, and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

201-23
May 16, 2023

**RESOLUTION PRESCRIBING FEES AS SET FORTH IN CHAPTER 5, SECTION 33.6
OF THE REVISED GENERAL ORDINANCES AND IN ORDINANCE 2768-23**

WHEREAS, on May 2, 2023, the Township of West Orange (the “Township”) passed Ordinance 2768-23 (the “Ordinance”), amending Chapter 5, Section 33.6 of the Revised General Ordinances of the Township; and

WHEREAS, the Ordinance amended Chapter 5, Section 33.6 of the Revised General Ordinances of the Township to set the fees and/or penalties set forth therein to prescribed by Resolution; and

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, the application and license fees as set forth in the Ordinance shall be:

Application Fee: \$50 (nonrefundable)

License Fee: \$100 for the initial two-year term; \$200 if the applicant renews for a three-year term in accordance with Subsection 5-33.5;

and it is further;

RESOLVED, that the Township Clerk is authorized to attest to the Mayor’s signature.

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

Tammy Williams
Council President

Adopted: May 16, 2023

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) owns and operates the Ginny Duenkel Pool located at 60½ Cherry Street (the “Pool”); and

WHEREAS, the Pool has a concession stand for patrons of the Pool; and

WHEREAS, the Township requires a vendor to operate the concession stand at the Pool for the summer 2023 season; and

WHEREAS, on March 27, 2018, the Township adopted Resolution 95-18 which authorized the Township to utilize Competitive Contract in lieu of public bidding for award of the contract for operation of the concession stand at the Pool thereby allowing the Township to award a contract utilizing Competitive Contract in lieu of public bidding; and

WHEREAS, on February 23, 2023, the Township issued a Request for Proposal soliciting vendors to submit proposals for the operation of the concession stand at the Pool for the 2023 season, but received no responses to the Request for Proposal; and

WHEREAS, on March 20, 2023, the Township re-issued the Request for Proposal (the “RFP”) as a second attempt to solicit vendors to submit proposals for the operation of the concession stand at the Pool for the 2023 season; and

WHEREAS, the proposals in response to the RFP were due on April 12, 2023; and

WHEREAS, on April 12, 2023, the Township received two (2) proposals in response to the RFP, including proposals submitted from the following respondents:

- (i) Nijah Kehinde
64 Park Terrace
West Orange, NJ 07052
- (ii) Fat Daddy’z
288 Main Street
West Orange, NJ 07052

and

WHEREAS, consistent with the RFP, the Township utilized an evaluation committee to review, evaluate and score the proposals submitted in response to the RFP; and

WHEREAS, the evaluation committee prepared a report summarizing its scoring and recommendations that the Contract for Pool Concession Services be awarded to Fat Daddy’z, annexed hereto as Exhibit “A;” and

WHEREAS, the Township has prepared and Fat Daddy’z has executed a proposed Contract for Pool Concession Services which incorporates the terms and conditions set forth in both the RFP and the proposal submitted in response to the RFP, annexed hereto as Exhibit “**B;**” and

WHEREAS, the Contract is for a term of one year with an option for the Township to extend the Contract for two (2) additional one-year terms and also provides that Fat Daddy’z will pay to the Township the following percentages of the total sales volume: (i) 20% for 2023; (ii) 22.5% for 2024; and (iii) 25% for 2025; and

WHEREAS, the Contract requires that Fat Daddy’z provide weekly reports to the Township of earnings from the concession stand at the Pool.

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to execute the Contract, in the form annexed hereto as Exhibit “**B,**” with Fat Daddy’z for operation of the concession stand at the Ginny Duenkel Pool for the summer 2023 season; and it is further

RESOLVED, that the Township Purchasing Agent is hereby authorized and instructed to return to Nijah Kehinde the deposit submitted with the proposal in response to the RFP based on the award of the Contract to Fat Daddy’z; and it is further

RESOLVED that notice of this award shall be published and available in the Clerk’s office in accordance with applicable law.

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

Tammy Williams,
Council President

Adopted: May 16, 2023

Exhibit “A”

TOWNSHIP OF WEST ORANGE

**COMPETITIVE CONTRACT REPORT FOR THE
FOOD AND BEVERAGE CONCESSION STAND
WEST ORANGE GINNY DUENKEL POOL**

Evaluation and Recommendation of an Award for the RE-BID 2023 Contract for the Food & Beverage Concession Stand West Orange Ginny Duenkel Municipal Pool Season, with the option to extend 2 one-year periods.

This report was prepared in accordance with the requirements of competitive contracting under the Local Public Contracts Law, N.J.S.A.40A:11-4.1 et seq., for reasons explained herein.

History

Township Council for the Township of West Orange (the "Township") adopted Resolution 95-18 on March 18, 2018, which authorized the Township to utilize Competitive Contracting in lieu of public bidding to award a contract for the Food & Beverage Concession Stand at Ginny Duenkel Municipal Pool.

On February 23, 2023, the Township of West Orange (TOWNSHIP) advertised for bids on the Star-Ledger and Township website, due March 15, 2023, at 11:00 a.m.; no bids were received. The Township released a re-bid for this service, advertised on March 20, 2023, on the Star-Ledger and Township website, with proposals due on April 12, 2023, at 10:00 a.m.

At the date and time designated, the following two companies submitted proposals:

Nijah Kehinde
64 Park Terrace
West Orange, NJ 07052

Fat Daddy'z
288 Main Street
West Orange, NJ 07052

Evaluation

The methodology for awarding competitive contracts is based on an evaluation and ranking, which shall include technical, management, and cost pursuant to the Local Public Contracts Law.

The Township formed a committee to review and evaluate proposals received. The committee members are Panayiota Reynolds, Purchasing Agent; Bill Kehoe, Director of Recreation; Edwin Johnson, Assistant Director of Recreation; Peter Smeraldo Jr., Assistant Business Administrator and John O. Gross, Chief Financial Officer/Business Administrator.

The results of the committee's assessment and scoring are:

Scoring weight 1-100

Panayiota Reynolds
Nijah Kehinde 27
Fat Daddy'z 30

Bill Kehoe
Nijah Kehinde 28
Fat Daddy'z 29

Edwin Johnson
Nijah Kehinde 23
Fat Daddy'z 29

Peter Smeraldo Jr.
Nijah Kehinde 24
Fat Daddy'z 28

John O. Gross
Nijah Kehinde 16
Fat Daddy'z 23

Recommendation:

The committee recommends Fat Daddy'z for the Award for the RE-BID 2023 Contract for the Food & Beverage Concession Stand West Orange Ginny Duenkel Municipal Pool Season with an option to extend two one-year periods for experience in the food industry.

Submitted by:
Panayiota Reynolds, QPA

Enclosures

Exhibit “B”

Exhibit “A”

TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY



RFP

Due April 12, 2023
at 10:00am

**RE-BID 2023 Contract for Food & Beverage Concession at West Orange
Ginny Duenkel Pool Season with option to extend 2 one-year periods**

TOWNSHIP OF WEST ORANGE * 66 MAIN STREET * WEST ORANGE, NJ 07052
(973) 325-4056

Request for Proposals

The Township of West Orange is soliciting proposals through the competitive contracting process in accordance with N.J.S.A. 40A:11-4.1 et seq., for the following services:

RE-BID 2023 Contract for the Food & Beverage Concession Stand West Orange Ginny Duenkel Municipal Pool Season with option to extend 2 one year periods

The proposal package can be obtained in person at the Township of West Orange, 66 Main Street, Purchasing Room 111, West Orange, NJ 07052, during regular business hours, 8:30 a.m. to 4:30 p.m. or on our website at www.westorange.org.

Sealed proposals, clearly marked with the title and name and address of party making same, addressed to the Township Council of the Township of West Orange will be received by mail, or hand delivery, at the Municipal Building, 66 Main Street, West Orange, NJ 07052. Submission due date is Wednesday, April 12, 2023 at 10:00 a.m. and will be publicly opened and read at that time in the Council Chambers on the same day. No proposals received after that time will be considered.

Bidders are required to comply with the Contract Compliance and Equal Employment Opportunities in Public Contracts N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 and have a current New Jersey Business Registration Certificate P.L. 2004, N.J.S.A. 52:25-24.2.

Bid deposit by a certified/cashier's check in the amount of \$1,000.00 required. The Township Council reserves the right to reject any or all proposals submitted and also to increase or diminish any quantities which in their judgment is necessary.

Pay to Play Requirements Contractors are advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Enforcement Commission, pursuant to N.J.S.A. 19:44-20.13(P.L. 2005, c, 271, s.3), if the contractor receives contracts in excess of \$50,000 in the aggregate from public entities during the calendar year. It is the contractor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us

Panayiota Reynolds
Purchasing Agent

TOWNSHIP OF WEST ORANGE

SPECIFICATIONS FOR THE 2023 CONTRACT FOR THE FOOD AND BEVERAGE CONCESSION STAND AT GINNY DUENKEL MUNICIPAL POOL, WITH OPTIONS TO RENEW

1. QUALIFICATIONS:

The Township is seeking a vendor to operate the concession stand at its Ginny Duenkel Municipal Pool (the “Concession Stand”) for the 2023 season. The successful vendor shall be an owner or operator of a licensed food establishment operation, which includes a licensed facility to store and prepare fresh and frozen foods. This facility shall be within a 30 minute distance of the Township of West Orange and the applicant shall be in legal operation of said business a minimum one year. The vendor’s response shall, on a separate sheet of paper, state the name and address of the licensed food establishment. **Vendors who solely have a New Jersey Cottage Food Operator Permit are excluded from bidding on this contract.**

The successful vendor and all employees shall comply with applicable state and local food handlers training and food protection manager certification requirements which immediately follows the award of this Contract. The successful vendor shall be responsible for the initial cleaning of the concession facility prior to bringing in food. The successful vendor will maintain this facility in a sanitary manner at all times during its operation. The successful vendor shall regularly clean all equipment, interior, and exterior surfaces and, at the conclusion of its seasonal service, provide a final cleanup of the entire facility that is approved by the Health Department during their close out inspection. It shall be understood by the successful vendor that the security deposit, as required and set forth in Section 11 herein, will not be released until such cleanup is approved and signed off for by the Health Officer or his designee.

The successful vendor’s operation shall be inspected by the West Orange Health Department at the pool facility and shall maintain a Satisfactory Rating at all times.

In the event the successful vendor does not comply with said standards, his/her/its approval to operate may be revoked by the local Health Officer, therefore nullifying the award to the vendor. A Satisfactory Rating must also be maintained at the applicant's licensed food establishment operation through verification with the local Health Officer in that jurisdiction.

2. EQUIPMENT:

The successful vendor shall provide all necessary equipment, vehicles and labor necessary for the installation and removal of concession equipment, food and miscellaneous merchandise and to ensure compliance with all health regulations.

The Township will provide a refrigerator, freezer, grill, ice machine, service tables and deep fryer ("Township Items"). The successful vendor must provide all other items.

The Township does not guarantee the Township Items as to their operability. All items are "as is/where is". The successful vendor represents that he/she/it has had sufficient opportunity to fully inspect the machinery and equipment and they are satisfactory for Concession Stand operation. Requests to inspect the equipment may be made to the

Township's Recreation Department, prior to the vendor submission date.

In the event that any of the Township items become inoperable during the term of this contract, the successful vendor must inform the Township's Purchasing Agent in written form immediately, either by email to preynolds@westorange.org or fax at (973) 736-8380. In such event, the Township shall take all appropriate and reasonable steps to repair same, but in any event the successful vendor shall continue to operate the Concession Stand during all hours of operation and will have no right of setoff or deduction under any circumstances concerning the vendor amount. Further, the successful vendor shall be responsible for ensuring that all Township Items and property are used in accordance with normal operations and are not negligently used in any manner to cause breakage, disrepair or damage. In the event of any such breakage, disrepair or damage, the successful vendor shall be fully responsible for all cost and expense, which will be paid by the vendor or reimbursed to the Township, whichever is applicable, within forty-eight (48) hours of presentment. If such expenses are not promptly paid, such act or omission will constitute an event of default hereunder.

The Township of West Orange has also installed vending machines on the property offering bottled beverages, pre-packaged snack items and cryogenic ice cream products. Continued operation of these vending machines is subject to discussion with vendor upon awarding of snack bar contract.

3. UTILITIES:

Refuse collection, gas, lighting and water service will be furnished by the Township. The successful vendor will be responsible for the daily disposal of refuse in and around the Concession Stand and dining deck area. The successful vendor will be responsible for the proper disposal of used cooking oil.

4. HEALTH REGULATIONS:

The successful vendor shall be responsible for, and subject to, all health regulations governing the Township of West Orange. This shall include obtaining a retail food establishment license from the West Orange Health Department to operate the snack bar.

The successful vendor shall be required to keep the area in and around the concession stand and dining deck clean of litter resulting from the operation. The successful vendor shall:

- (a) Wash counters daily before opening and as needed during operation.
- (b) Wash floors completely at least one hour before opening each day.
- (c) Clean snack bar area daily before opening and as needed during operation
- (d) Wash down the dining deck area daily at the close of the business day.
- (e) Remove all gum from the dining deck area.
- (f) Wash and clean tables in the dining deck area as needed.
- (g) Supply all necessary plastic bag inserts for garbage containers in the Concession Stand and dining deck area.
- (h) Ensure Concession Stand employees wear proper attire approved by the Township's Health Department.
- (i) Wash and sanitize all equipment, kitchenware, and utensils on a daily basis.

5. MENU/PRODUCT LIST

Vendor may sell edible items and assorted sundries only. Effective 2018, the vendor shall be required to offer "healthy" menu options on a daily basis. These healthy options shall include but not be limited to the following:

Beverages: Bottled water, unsweetened ice tea and fruit based smoothies

Snacks: Fresh fruit, vegetable sticks and yogurt

Entrees: Salads with lower fat dressings, grilled chicken and non-beef patties

Please include with your Bid , a copy of your menu, and sundry items with prices. Please include a description of the menu items (e.g., 4oz hamburger, foot long beef hot dog, etc.).

6. LABOR MARKET CONDITIONS:

The successful vendor shall be responsible for any and all labor market conditions which may affect the successful vendor's working costs during the term of the contract. The successful vendor will absorb all increases in the cost of raw materials.

7. ADULT SUPERVISION OF PREMISES:

The successful vendor shall be responsible for limiting occupation of the snack bar only to employees who are licensed approved food handlers. No later than two weeks prior to commencement of operations, the successful vendor shall provide the Director of Recreation with a typewritten list of names, addresses, telephone numbers, ages and social security numbers of all employees hired to meet the obligations of the contract no later than two weeks prior to opening.

The above referenced employee information with respect to any new hires made during the pool season must be provided to the Township's Recreation Director prior to the start date of the proposed new employees. The successful vendor shall have on the premises at all times during hours of snack bar operation at least one employee, 21 years of age or older, who shall be responsible for supervising all other employees. Violation of the conditions set forth in this section will result in forfeiture of the \$1,000.00 deposit.

8. HOURS OF BUSINESS AND DELIVERY RESTRICTION:

The Concession Stand's hours of operation shall follow the standard pool hours. Pool opens May 27, 2023 weekends only, full time June 24, 2023, and the Season ends September 04, 2023. Pre-season hours are weekends only from 12 noon to 6:00 pm. Full season operation is 7 days a week. Normal hours are 12 noon to 7:30 pm, Monday through Thursday, 12 noon to 8:00 pm on Saturdays, 10:00 am to 8:00 pm on Saturdays and 11:00 am to 8:00 pm on Sundays. During normal hours of operation food deliveries to pool patrons or employees shall not be permitted in the pool area or on pool grounds. **Deliveries to the successful vendor shall not be permitted after 11:00 am on any day of the week.**

9. SPECIAL EVENTS:

Special events, which may occur during or after the normal operating hours, are determined by the Director of Recreation, and the Concession Stand may operate during special events with the permission of the Director of Recreation. Food for special events or parties sponsored by the Township's Department of Recreation may also be brought on site or catered, as will be determined in advance by the Director of Recreation in his or her sole discretion. The Recreation Department sponsored Swim Team has authorization to sell food and promotional materials during their anticipated 3-4 weekday evening home meets. During morning programming such as swim lessons, camp visits and other programming, the vendor has the option to open during those programs.

10. UTILIZATION OF POOL FACILITIES:

The successful vendor and any employees may not utilize the swimming pool unless they are a member in good standing of the Ginny Duenkel Municipal Pool.

Violation of this condition will result in forfeiture of the \$1,000.00 security deposit.

11. INSURANCE, SECURITY DEPOSIT, WEEKLY REPORT:

All responding parties must have a valid certificate of general liability insurance, which names the Township as an additional insured, the policy for which shall have not less than a combined single limit of \$1,000,000.00. The prevailing vendor must present the Certificate to the Township within seven (7) business days of the award of the Contract.

A security deposit in the form of certified check must accompany all proposals for \$1,000.00 payable to the Township of West Orange. The deposit of the successful vendor will be held in escrow by the Township and returned at the satisfactory completion of the contract. The full amount of the deposit will be surrendered in the event of any default under the terms or obligations hereunder. In the Township's sole discretion, the Township may deduct from or require surrender of the deposit for the cost of repairs for any damage caused by the vendor to the concession stand. The successful Vendor shall supply the Director of Recreation and the Purchasing Agent a weekly report of earnings from the snack bar. The week shall run from Saturday through Friday and the reports will be provided no later than Wednesday of the following week. Gross sales for the 2021 Pool Season were \$82,650.00.

12. **CONTRACT:**

The vendor to whom the contract is awarded shall not assign or sublet the contract, Concession Stand, or any part of its obligations hereunder, without the prior written consent of the Director of Recreation. In the event the successful vendor fails or neglects to perform any of the conditions or covenants set forth herein during the life of the contract, the Township may, upon (3) days written notice to the successful vendor to cure a default, delivered personally or by registered mail at its last known address, terminate this contract and all rights, privileges or interest in the same shall cease, and the successful vendor shall be liable to the Township for any damages or loss sustained by it, including but not limited to reasonable attorneys' fees in the event any legal action is necessary, as a result of the default of the successful vendor.

The successful vendor shall pay to the Purchasing Agent the percentage of sales volume to be paid to the Township of West Orange as indicated below, every week within five (5) calendar days after the close of the week, which occurs every Friday. The same payment amount and payment terms shall apply to any extensions of the contract.

The contract to operate the Concession Stand shall be awarded to the successful vendor for 2023 pool season, which expires September 05, 2023. The successful vendor shall remove, at his sole expense, from the snack bar, all of its equipment, food goods, and miscellaneous merchandise, unless the contract is extended for the next season, in which case the vendor may tie-down, secure and store any items it wishes within the Concession Stand at its sole risk, cost and expense.

Evaluation Criteria

- A. Technical Criteria (30% of Scoring)
- B. Management Criteria (35% of Scoring)
- C. Cost Criteria (35% of Scoring)

RFP

**RE-BID 2023 Contract for the Food & Beverage Concession at West Orange Ginny Duenkel
Municipal Pool**

TO THE TOWNSHIP COUNCIL, TOWNSHIP OF WEST ORANGE, NEW JERSEY

Dear Council Members:

In accordance with and subject to all stipulations, conditions, requirements, and instructions to vendors, specifications so far as they relate to this proposal are made part of it, submit a vendor of:

Percentage of sales amount to be paid to the Township of West Orange :

%_____ year 2023

%_____ year 2024

%_____ year 2025

(Amount in writing)

COMPANY NAME: _____

ADDRESS: _____

DATE: _____

PHONE: _____

EMAIL: _____

BY _____

(Signature and Title of Officer of Company authorized to execute a contract)

A bid deposit of \$1,000.00 is required in the form of a certified check or bid bond or cashier's check for this bid.

INSTRUCTIONS TO BIDDERS

- 1) A bid deposit must be submitted with this bid proposal in the form of a certified check, cashier's check, or bid bond in the amount of \$1,000.00. Bid deposits, except those of the three apparent lowest bidders shall be returned within ten working days after the bid opening.

APPLICABLE: YES X NO

- 2) When performance bonds are required, a Certificate of Surety must be submitted with the bid proposal, stating that if a contract is awarded to the bidder, the surety will become bound as surety for the faithful performance of the contract.

APPLICABLE: YES NO X

- 3) The Vendor agrees to and with the Township of West Orange that it will save harmless the Township from any action at law for damages because of any breach of contract or of the specifications, upon which same is based. The Vendor further agrees to comply with all ordinances of the Township of West Orange, and with all statutes of the State of New Jersey relative to this contract.

- 4) Subject to the requirements of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et sec., the Township reserves, holds and may exercise, at its sole discretion the following:

a) To reject any or all bids, or to waive any informalities in the bids.

b) To reject all non-conforming, non-responsive, unbalanced or conditional bids.

c) The Township reserves the right with equal or tie bids, to award the contract that best suits the interest of the Township.

- 5) Each bid must be signed in ink by the person authorized to do so.

- 6) Award of contract to the successful bidder must be made within 60 days after receipt of the bids.

- 7) Contract may be awarded on a lump sum or partial basis whichever is in the best interest to the Township.

- 8) In case of default by the bidder or contractor the Township may procure the articles or services from other sources and hold the bidder or contractor responsible for any excess cost over the contracted amount.

- 9) Prevailing Wage & Labor Laws. The New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.25, et seq. All bids shall contain a statement to the effect the Bidder and all subcontractors hired by the Bidder will, if applicable, pay any and all workers employed no less than the prevailing rate as determined pursuant

to N.J.S.A. 34:11-56.25 et seq. by the Commissioner of Labor and Industry or duly authorized deputy or representative.

APPLICABLE **YES** _____ **NO** **X** _____

- 10) Equivalent Products – The designation of any item set forth in the Bid Specification by trade name or the like is intended to be for the purpose of establishing a minimum standard for that item. A bidder may bid the trade name item or another item in its place which meets or exceeds the trade name specifications. No item which does not meet at least the specifications of the trade name item will be acceptable.

APPLICABLE **YES** _____ **NO** **X** _____

- 11) No interpretation of the meaning of the specifications will be made to any bidder orally. Every request for such interpretation should be in writing to the Purchasing Agent and to be given consideration must be received at least (5) days prior to the date fixed of the bid opening. Failure of any bidder from any obligation under his bid submitted. All addenda issued shall become part of the contract.

APPLICABLE **YES** **X** _____ **NO** _____

- 12) Bidder must list and submit any and all exceptions being made to our specifications. Failure to do so may result in rejection of bid.

APPLICABLE **YES** **X** _____ **NO** _____

- 13) Pursuant to N.J.S.A. 40A:11-18. American made goods and products shall be used where possible.

APPLICABLE **YES** **X** _____ **NO** _____

- 14) Pay to Play Requirements Contractors are advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Enforcement Commission, pursuant to N.J.S.A. 19:44-20.13(P.L. 2005, c, 271, s.3), if the contractor receives contracts in excess of \$50,000 in the aggregate from public entities during the calendar year. It is the contractor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us. In addition, pursuant to Section 2-68.1 of the Revised General Ordinances of the Township of West Orange respondents shall disclose all political contributions of two hundred dollars (\$200) or more made within the preceding five (5) years to any elected officials of the Township of West Orange currently in office or any political organization affiliated with an elected official of the Township currently in office

APPLICABLE **YES** **X** _____ **NO** _____

PLEASE PROVIDE A COMPLETE MENU WITH PRICING IN BID SUBMISSION

Recipient:

Township of West Orange
Panayiota Reynolds, Purchasing Agent
66 Main Street, Room 111
West Orange, NJ 07052

preynolds@westorange.org

Phone: (973) 325-4056

Fax: (973) 736-8380

BIDDER'S CHECK LIST

Initial

- Business Registration Certification _____
- Stockholder Disclosure Certification _____
- Mandatory Affirmative Action Language _____
- AMERICANS WITH DISABILITIES ACT OF 1990 _____
- Completed Bid Proposal Form _____
- Bid Deposit \$1,000.00 _____
- W-9 Tax Form _____
- Political Disclosure Statement _____
- Prohibited Russia-Belarus Activities & Iran Investment Activities _____
- Addendum/Addenda _____

Please provide one additional copy of entire bid package which can be a paper copy or stored on a USB/Flash Stick

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 and N.J.A.C. 17:27

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: _____

SIGNATURE: _____

PRINT NAME: _____ TITLE: _____

DATE: _____

APPENDIX A
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The contractor and the _____ of _____, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (*42 U.S.C. §12101 et seq.*), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: _____

Organization Address: _____

Part I Check the box that represents the type of business organization:

- ☐ Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- ☐ Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- ☐ For-Profit Corporation (any type) ☐ Limited Liability Company (LLC)
- ☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership (LLP)
- ☐ Other (be specific): _____

Part II

- ☐ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

- ☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Address

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the ***Township of West Orange*** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with ***Township of West Orange*** to notify the ***Township of West Orange*** in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the ***Township of West Orange*** to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

NON-COLLUSION AFFIDAVIT

State of New Jersey

County of _____

ss:

I, _____ residing in _____
(name of affiant) (name of municipality)
in the County of _____ and State of _____ of full age, being duly
sworn according to law on my oath depose and say that:

I am _____ of the firm of _____
(title or position) (name of firm)

_____ the bidder making this Proposal for the bid

entitled _____, and that I executed the said proposal with
(title of bid proposal)

full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the _____ relies upon the truth of the statements contained in said Proposal

(name of contracting unit)

and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by _____.

Subscribed and sworn to

before me this day

Signature

_____, 2 _____

(Type or print name of affiant under signature)

Notary public of

My Commission expires _____

(Seal)

TOWNSHIP OF WEST ORANGE

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt</u> (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☐ **No addenda were received:**

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

Business Registration Certification and Public Works Contractor Registration Certification

Effective September 1, 2004, the State has expanded its Contractor Registration Program to local Government contracts, P.L. 2004, c57. All business organizations that do business with a local government agency are required to be registered with the State. The business must provide proof of that registration to the local government agency before that local government agency can enter into a contract with the business. Further information and registration can be obtained online at:

<http://www.state.nj.us/treasury/revenue/busregcert.shtml> or by calling (609) 292-1730.

Prohibited Russia-Belarus Activities & Iran Investment Activities

Person or Entity

Part 1: Certification

COMPLETE PART 1 BY CHECKING **ONE OF THE THREE BOXES BELOW**

Pursuant to law, any person or entity that is a successful bidder or proposer, or otherwise proposes to enter into or renew a contract, for goods or services must complete the certification below prior to contract award to attest, under penalty of perjury, that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list or Chapter 25 list as a person or entity engaging in prohibited activities in Russia, Belarus or Iran. Before a contract for goods or services can be amended or extended, a person or entity must certify that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list. Both lists are found on Treasury's website at the following web addresses:

<https://www.nj.gov/treasury/administration/pdf/RussiaBelarusEntityList.pdf>
www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf.

As applicable to the type of contract, the above-referenced lists must be reviewed prior to completing the below certification.

A person or entity unable to make the certification must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran. The person or entity must cease engaging in any prohibited activities and provide an updated certification before the contract can be entered into.

If a vendor or contractor is found to be in violation of law, action may be taken as appropriate and as may be provided by law, rule, or contract, including but not limited to imposing sanctions, seeking compliance, recovering damages, declaring the party in default, and seeking debarment or suspension of the party.

CONTRACT AWARDS AND RENEWALS



I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate appears on the N.J. Department of Treasury's lists of entities engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3 or in investment activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. (Skip Part 2 and sign and complete the Certification below.)

CONTRACT AMENDMENTS AND EXTENSIONS



I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate is listed on the N.J. Department of the Treasury's lists of entities determined to be engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3. I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. (Skip Part 2 and sign and complete the Certification below.)

IF UNABLE TO CERTIFY



I am unable to certify as above because the person or entity and/or a parent entity, subsidiary, or affiliate is listed on the Department's Russia-Belarus list and/or Chapter 25 Iran list. I will provide a detailed, accurate, and precise description of the activities as directed in Part 2 below, and sign and complete the Certification below. Failure to provide such will prevent the award of the contract to the person or entity, and appropriate penalties, fines, and/or sanctions will be assessed as provided by law.

Part 2: Additional Information

PLEASE PROVIDE FURTHER INFORMATION RELATED TO PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS AND/OR INVESTMENT ACTIVITIES IN IRAN.

You must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran in the space below and, if needed, on additional sheets provided by you.

Part 3: Certification of True and Complete Information

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there, to the best of my knowledge, are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity.

*I acknowledge that the **Township of West Orange** is relying on the information contained herein and hereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the **Township of West Orange** to notify the **Township of West Orange** in writing of any changes to the answers of information contained herein.*

*I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the **Township of West Orange** and that the **Township of West Orange** at its option may declare any contract(s) resulting from this certification void and unenforceable.*

Full Name (Print)		Title	
Signature		Date	

Political Contribution Disclosure Statement Pursuant to Chapter 2, Section 68 of the Revised General Ordinances of the Township of West Orange

Pursuant to Section 2-68.1 of the Revised General Ordinances of the Township of West Orange, please set forth below all political contributions in cash or in kind of two hundred (\$200.00) dollars or more made within five (5) years of the date of acceptance of a proposal for a negotiated contract with the Township of West Orange, or within five (5) years of the notice of award for a bid contract with the Township of West Orange, either directly or indirectly, by the individuals or any of the principals of the business entity completing this form or by the business entity itself, to any elected official of the Township of West Orange currently in office or any political organization affiliated with an elected official of the Township currently in office.¹

<u>Name of Individual/Entity Making Contribution</u>	<u>Amount of Contribution</u>	<u>Recipient of Contribution</u>	<u>Date of Contribution</u>

If you have <u>NOT</u> made any contributions within the scope of Section 2-68.1, as set forth above, please X the line to the right.	NONE

I hereby certify under penalty of perjury that the information provided herein is true and accurate to the best of my knowledge, information and belief.

The current elected officials of the Township include the following: Mayor Susan McCartney, Councilman Bill Rutherford, Councilwoman Michelle Casalino, Councilwoman Tammy Williams, Councilwoman Asmeret Ghebremicael and Councilwoman Susan Scarpa .

Company Name

Authorized Signature

Printed Name

Date

Exhibit “B”

BIDDER'S CHECK LIST

Initial

- Business Registration Certification
- Stockholder Disclosure Certification
- Mandatory Affirmative Action Language
- AMERICANS WITH DISABILITIES ACT OF 1990
- Completed Bid Proposal Form
- Bid Deposit \$1,000.00
- W-9 Tax Form
- Political Disclosure Statement
- Prohibited Russia-Belarus Activities & Iran Investment Activities
- Addendum/Addenda

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Please provide one additional copy of entire bid package which can be a paper copy or stored on a USB/Flash Stick

**TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY**



RFP

**Due April 12, 2023
at 10:00am**

**RE-BID 2023 Contract for Food & Beverage Concession at West Orange
Ginny Duenkel Pool Season with option to extend 2 one-year periods**

**TOWNSHIP OF WEST ORANGE * 66 MAIN STREET * WEST ORANGE, NJ 07052
(973) 325-4056**

Request for Proposals

The Township of West Orange is soliciting proposals through the competitive contracting process in accordance with N.J.S.A. 40A:11-4.1 et seq., for the following services:

RE-BID 2023 Contract for the Food & Beverage Concession Stand West Orange Ginny Duenkel Municipal Pool Season with option to extend 2 one year periods

The proposal package can be obtained in person at the Township of West Orange, 66 Main Street, Purchasing Room 111, West Orange, NJ 07052, during regular business hours, 8:30 a.m. to 4:30 p.m. or on our website at www.westorange.org.

Sealed proposals, clearly marked with the title and name and address of party making same, addressed to the Township Council of the Township of West Orange will be received by mail, or hand delivery, at the Municipal Building, 66 Main Street, West Orange, NJ 07052. Submission due date is Wednesday, April 12, 2023 at 10:00 a.m. and will be publicly opened and read at that time in the Council Chambers on the same day. No proposals received after that time will be considered.

Bidders are required to comply with the Contract Compliance and Equal Employment Opportunities in Public Contracts N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 and have a current New Jersey Business Registration Certificate P.L. 2004, N.J.S.A. 52:25-24.2.

Bid deposit by a certified/cashier's check in the amount of \$1,000.00 required. The Township Council reserves the right to reject any or all proposals submitted and also to increase or diminish any quantities which in their judgment is necessary.

Pay to Play Requirements Contractors are advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Enforcement Commission, pursuant to N.J.S.A. 19:44-20.13(P.L. 2005, c, 271, s.3), if the contractor receives contracts in excess of \$50,000 in the aggregate from public entities during the calendar year. It is the contractor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us

**Panayiota Reynolds
Purchasing Agent**

TOWNSHIP OF WEST ORANGE

SPECIFICATIONS FOR THE 2023 CONTRACT FOR THE FOOD AND BEVERAGE CONCESSION STAND AT GINNY DUENKEL MUNICIPAL POOL, WITH OPTIONS TO RENEW

1. QUALIFICATIONS:

The Township is seeking a vendor to operate the concession stand at its Ginny Duenkel Municipal Pool (the "Concession Stand") for the 2023 season. The successful vendor shall be an owner or operator of a licensed food establishment operation, which includes a licensed facility to store and prepare fresh and frozen foods. This facility shall be within a 30 minute distance of the Township of West Orange and the applicant shall be in legal operation of said business a minimum one year. The vendor's response shall, on a separate sheet of paper, state the name and address of the licensed food establishment. **Vendors who solely have a New Jersey Cottage Food Operator Permit are excluded from bidding on this contract.**

The successful vendor and all employees shall comply with applicable state and local food handlers training and food protection manager certification requirements which immediately follows the award of this Contract. The successful vendor shall be responsible for the initial cleaning of the concession facility prior to bringing in food. The successful vendor will maintain this facility in a sanitary manner at all times during its operation. The successful vendor shall regularly clean all equipment, interior, and exterior surfaces and, at the conclusion of its seasonal service, provide a final cleanup of the entire facility that is approved by the Health Department during their close out inspection. It shall be understood by the successful vendor that the security deposit, as required and set forth in Section 11 herein, will not be released until such cleanup is approved and signed off for by the Health Officer or his designee.

The successful vendor's operation shall be inspected by the West Orange Health Department at the pool facility and shall maintain a Satisfactory Rating at all times.

In the event the successful vendor does not comply with said standards, his/her/its approval to operate may be revoked by the local Health Officer, therefore nullifying the award to the vendor. A Satisfactory Rating must also be maintained at the applicant's licensed food establishment operation through verification with the local Health Officer in that jurisdiction.

2. EQUIPMENT:

The successful vendor shall provide all necessary equipment, vehicles and labor necessary for the installation and removal of concession equipment, food and miscellaneous merchandise and to ensure compliance with all health regulations.

The Township will provide a refrigerator, freezer, grill, ice machine, service tables and deep fryer ("Township Items"). The successful vendor must provide all other items.

The Township does not guarantee the Township Items as to their operability. All items are "as is/where is". The successful vendor represents that he/she/it has had sufficient opportunity to fully inspect the machinery and equipment and they are satisfactory for Concession Stand operation. Requests to inspect the equipment may be made to the

Township's Recreation Department, prior to the vendor submission date.

In the event that any of the Township items become inoperable during the term of this contract, the successful vendor must inform the Township's Purchasing Agent in written form immediately, either by email to preynolds@westorange.org or fax at (973) 736-8380. In such event, the Township shall take all appropriate and reasonable steps to repair same, but in any event the successful vendor shall continue to operate the Concession Stand during all hours of operation and will have no right of setoff or deduction under any circumstances concerning the vendor amount. Further, the successful vendor shall be responsible for ensuring that all Township Items and property are used in accordance with normal operations and are not negligently used in any manner to cause breakage, disrepair or damage. In the event of any such breakage, disrepair or damage, the successful vendor shall be fully responsible for all cost and expense, which will be paid by the vendor or reimbursed to the Township, whichever is applicable, within forty-eight (48) hours of presentment. If such expenses are not promptly paid, such act or omission will constitute an event of default hereunder.

The Township of West Orange has also installed vending machines on the property offering bottled beverages, pre-packaged snack items and cryogenic ice cream products. Continued operation of these vending machines is subject to discussion with vendor upon awarding of snack bar contract.

3. UTILITIES:

Refuse collection, gas, lighting and water service will be furnished by the Township. The successful vendor will be responsible for the daily disposal of refuse in and around the Concession Stand and dining deck area. The successful vendor will be responsible for the proper disposal of used cooking oil.

4. HEALTH REGULATIONS:

The successful vendor shall be responsible for, and subject to, all health regulations governing the Township of West Orange. This shall include obtaining a retail food establishment license from the West Orange Health Department to operate the snack bar.

The successful vendor shall be required to keep the area in and around the concession stand and dining deck clean of litter resulting from the operation. The successful vendor shall:

- (a) Wash counters daily before opening and as needed during operation.
- (b) Wash floors completely at least one hour before opening each day.
- (c) Clean snack bar area daily before opening and as needed during operation
- (d) Wash down the dining deck area daily at the close of the business day.
- (e) Remove all gum from the dining deck area.
- (f) Wash and clean tables in the dining deck area as needed.
- (g) Supply all necessary plastic bag inserts for garbage containers in the Concession Stand and dining deck area.
- (h) Ensure Concession Stand employees wear proper attire approved by the Township's Health Department.
- (i) Wash and sanitize all equipment, kitchenware, and utensils on a daily basis.

5. MENU/PRODUCT LIST

Vendor may sell edible items and assorted sundries only. Effective 2018, the vendor shall be required to offer "healthy" menu options on a daily basis. These healthy options shall include but not be limited to the following:

Beverages: Bottled water, unsweetened ice tea and fruit based smoothies

Snacks: Fresh fruit, vegetable sticks and yogurt

Entrees: Salads with lower fat dressings, grilled chicken and non-beef patties

Please include with your Bid , a copy of your menu, and sundry items with prices. Please include a description of the menu items (e.g., 4oz hamburger, foot long beef hot dog, etc.).

6. LABOR MARKET CONDITIONS:

The successful vendor shall be responsible for any and all labor market conditions which may affect the successful vendor's working costs during the term of the contract. The successful vendor will absorb all increases in the cost of raw materials.

7. ADULT SUPERVISION OF PREMISES:

The successful vendor shall be responsible for limiting occupation of the snack bar only to employees who are licensed approved food handlers. No later than two weeks prior to commencement of operations, the successful vendor shall provide the Director of Recreation with a typewritten list of names, addresses, telephone numbers, ages and social security numbers of all employees hired to meet the obligations of the contract no later than two weeks prior to opening.

The above referenced employee information with respect to any new hires made during the pool season must be provided to the Township's Recreation Director prior to the start date of the proposed new employees. The successful vendor shall have on the premises at all times during hours of snack bar operation at least one employee, 21 years of age or older, who shall be responsible for supervising all other employees. Violation of the conditions set forth in this section will result in forfeiture of the \$1,000.00 deposit.

8. HOURS OF BUSINESS AND DELIVERY RESTRICTION:

The Concession Stand's hours of operation shall follow the standard pool hours. Pool opens May 27, 2023 weekends only, full time June 24, 2023, and the Season ends September 04, 2023. Pre-season hours are weekends only from 12 noon to 6:00 pm. Full season operation is 7 days a week. Normal hours are 12 noon to 7:30 pm, Monday through Thursday, 12 noon to 8:00 pm on Saturdays, 10:00 am to 8:00 pm on Saturdays and 11:00 am to 8:00 pm on Sundays. During normal hours of operation food deliveries to pool patrons or employees shall not be permitted in the pool area or on pool grounds. **Deliveries to the successful vendor shall not be permitted after 11:00 am on any day of the week.**

9. SPECIAL EVENTS:

Special events, which may occur during or after the normal operating hours, are determined by the Director of Recreation, and the Concession Stand may operate during special events with the permission of the Director of Recreation. Food for special events or parties sponsored by the Township's Department of Recreation may also be brought on site or catered, as will be determined in advance by the Director of Recreation in his or her sole discretion. The Recreation Department sponsored Swim Team has authorization to sell food and promotional materials during their anticipated 3-4 weekday evening home meets. During morning programming such as swim lessons, camp visits and other programming, the vendor has the option to open during those programs.

10. UTILIZATION OF POOL FACILITIES:

The successful vendor and any employees may not utilize the swimming pool unless they are a member in good standing of the Ginny Duenkel Municipal Pool.

Violation of this condition will result in forfeiture of the \$1,000.00 security deposit.

11. INSURANCE, SECURITY DEPOSIT, WEEKLY REPORT:

All responding parties must have a valid certificate of general liability insurance, which names the Township as an additional insured, the policy for which shall have not less than a combined single limit of \$1,000,000.00. The prevailing vendor must present the Certificate to the Township within seven (7) business days of the award of the Contract.

A security deposit in the form of certified check must accompany all proposals for \$1,000.00 payable to the Township of West Orange. The deposit of the successful vendor will be held in escrow by the Township and returned at the satisfactory completion of the contract. The full amount of the deposit will be surrendered in the event of any default under the terms or obligations hereunder. In the Township's sole discretion, the Township may deduct from or require surrender of the deposit for the cost of repairs for any damage caused by the vendor to the concession stand. The successful Vendor shall supply the Director of Recreation and the Purchasing Agent a weekly report of earnings from the snack bar. The week shall run from Saturday through Friday and the reports will be provided no later than Wednesday of the following week. Gross sales for the 2021 Pool Season were \$82,650.00.

12. CONTRACT:

The vendor to whom the contract is awarded shall not assign or sublet the contract, Concession Stand, or any part of its obligations hereunder, without the prior written consent of the Director of Recreation. In the event the successful vendor fails or neglects to perform any of the conditions or covenants set forth herein during the life of the contract, the Township may, upon (3) days written notice to the successful vendor to cure a default, delivered personally or by registered mail at its last known address, terminate this contract and all rights, privileges or interest in the same shall cease, and the successful vendor shall be liable to the Township for any damages or loss sustained by it, including but not limited to reasonable attorneys' fees in the event any legal action is necessary, as a result of the default of the successful vendor.

The successful vendor shall pay to the Purchasing Agent the percentage of sales volume to be paid to the Township of West Orange as indicated below, every week within five (5) calendar days after the close of the week, which occurs every Friday. The same payment amount and payment terms shall apply to any extensions of the contract.

The contract to operate the Concession Stand shall be awarded to the successful vendor for 2023 pool season, which expires September 05, 2023. The successful vendor shall remove, at his sole expense, from the snack bar, all of its equipment, food goods, and miscellaneous merchandise, unless the contract is extended for the next season, in which case the vendor may tie-down, secure and store any items it wishes within the Concession Stand at its sole risk, cost and expense.

Evaluation Criteria

- A. Technical Criteria (30% of Scoring)
- B. Management Criteria (35% of Scoring)
- C. Cost Criteria (35% of Scoring)

RFP

**RE-BID 2023 Contract for the Food & Beverage Concession at West Orange Ginny Duenkel
Municipal Pool**

TO THE TOWNSHIP COUNCIL, TOWNSHIP OF WEST ORANGE, NEW JERSEY

Dear Council Members:

In accordance with and subject to all stipulations, conditions, requirements, and instructions to vendors, specifications so far as they relate to this proposal are made part of it, submit a vendor of:

Percentage of sales amount to be paid to the Township of West Orange :

% 20 year 2023

% 22.5 year 2024

% 25 year 2025

(Amount in writing)

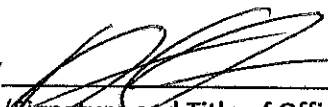
COMPANY NAME: Fat Daddy'z

ADDRESS: 560 Valley Rd.
West Orange, NJ 07052

DATE: 03/20/2023

PHONE: 973-723-0064

EMAIL: fatdaddyzmobile@gmail.com

BY  President

(Signature and Title of Officer of Company authorized to execute a contract)

A bid deposit of \$1,000.00 is required in the form of a certified check or bid bond or cashier's check for this bid.

INSTRUCTIONS TO BIDDERS

- 1) A bid deposit must be submitted with this bid proposal in the form of a certified check, cashier's check, or bid bond in the amount of \$1,000.00. Bid deposits, except those of the three apparent lowest bidders shall be returned within ten working days after the bid opening.

APPLICABLE: YES X NO

- 2) When performance bonds are required, a Certificate of Surety must be submitted with the bid proposal, stating that if a contract is awarded to the bidder, the surety will become bound as surety for the faithful performance of the contract.

APPLICABLE: YES NO X

- 3) The Vendor agrees to and with the Township of West Orange that it will save harmless the Township from any action at law for damages because of any breach of contract or of the specifications, upon which same is based. The Vendor further agrees to comply with all ordinances of the Township of West Orange, and with all statutes of the State of New Jersey relative to this contract.
- 4) Subject to the requirements of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et sec., the Township reserves, holds and may exercise, at its sole discretion the following:
- a) To reject any or all bids, or to waive any informalities in the bids.
 - b) To reject all non-conforming, non-responsive, unbalanced or conditional bids.
 - c) The Township reserves the right with equal or tie bids, to award the contract that best suits the interest of the Township.
- 5) Each bid must be signed in ink by the person authorized to do so.
- 6) Award of contract to the successful bidder must be made within 60 days after receipt of the bids.
- 7) Contract may be awarded on a lump sum or partial basis whichever is in the best interest to the Township.
- 8) In case of default by the bidder or contractor the Township may procure the articles or services from other sources and hold the bidder or contractor responsible for any excess cost over the contracted amount.
- 9) Prevailing Wage & Labor Laws. The New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.25, et seq. All bids shall contain a statement to the effect the Bidder and all subcontractors hired by the Bidder will, if applicable, pay any and all workers employed no less than the prevailing rate as determined pursuant

to N.J.S.A. 34:11-56.25 et seq. by the Commissioner of Labor and Industry or duly authorized deputy or representative.

APPLICABLE YES _____ NO X _____

- 10) Equivalent Products – The designation of any item set forth in the Bid Specification by trade name or the like is intended to be for the purpose of establishing a minimum standard for that item. A bidder may bid the trade name item or another item in its place which meets or exceeds the trade name specifications. No item which does not meet at least the specifications of the trade name item will be acceptable.

APPLICABLE YES _____ NO X _____

- 11) No interpretation of the meaning of the specifications will be made to any bidder orally. Every request for such interpretation should be in writing to the Purchasing Agent and to be given consideration must be received at least (5) days prior to the date fixed of the bid opening. Failure of any bidder from any obligation under his bid submitted. All addenda issued shall become part of the contract.

APPLICABLE YES X _____ NO _____

- 12) Bidder must list and submit any and all exceptions being made to our specifications. Failure to do so may result in rejection of bid.

APPLICABLE YES X _____ NO _____

- 13) Pursuant to N.J.S.A. 40A:11-18. American made goods and products shall be used where possible.

APPLICABLE YES X _____ NO _____

- 14) Pay to Play Requirements Contractors are advised of the responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Enforcement Commission, pursuant to N.J.S.A. 19:44-20.13(P.L. 2005, c, 271, s.3), if the contractor receives contracts in excess of \$50,000 in the aggregate from public entities during the calendar year. It is the contractor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us. In addition, pursuant to Section 2-68.1 of the Revised General Ordinances of the Township of West Orange respondents shall disclose all political contributions of two hundred dollars (\$200) or more made within the preceding five (5) years to any elected officials of the Township of West Orange currently in office or any political organization affiliated with an elected official of the Township currently in office

APPLICABLE YES X _____ NO _____

PLEASE PROVIDE A COMPLETE MENU WITH PRICING IN BID SUBMISSION

Recipient:

Township of West Orange
Panayiota Reynolds, Purchasing Agent
66 Main Street, Room 111
West Orange, NJ 07052

preynolds@westorange.org

Phone: (973) 325-4056

Fax: (973) 736-8380

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127) N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

AFFIRMATIVE ACTION COMPLIANCE NOTICE
N.J.S.A. 10:5-31 and N.J.A.C. 17:27

GOODS AND SERVICES CONTRACTS
(INCLUDING PROFESSIONAL SERVICES)

This form is a summary of the successful bidder's requirement to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

The successful bidder shall submit to the public agency, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the contractor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-4;

OR

(c) A photocopy of an Employee Information Report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor in accordance with N.J.A.C. 17:27-4.

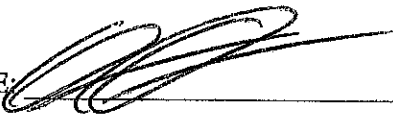
The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) from the contracting unit during normal business hours.

The successful vendor(s) must submit the copies of the AA302 Report to the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (Division). The Public Agency copy is submitted to the public agency, and the vendor copy is retained by the vendor.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.1 et seq. and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27-1 et seq.

COMPANY: Fat Daddy'z

SIGNATURE: 

PRINT NAME: Darasen Davis

TITLE: President

DATE: 03/20/2023

APPENDIX A
AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

The contractor and the Owner of Fat Daddy'z, (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. §12101 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: Fat Daddy'z

Organization Address: 560 Valley Rd. West Orange, NJ 07052

Part I Check the box that represents the type of business organization:

- ☐ Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- ☐ Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- ☐ For-Profit Corporation (any type) ☒ Limited Liability Company (LLC)
- ☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership (LLP)
- ☐ Other (be specific): _____

Part II

- ☐ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

- ☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Address
Darasen Davis	33 Mcguire Dr. West Orange, NJ 07052

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

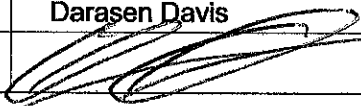
Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Address
Darasen Davis	33 McGuire Dr. West Orange, NJ 07052

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the ***Township of West Orange*** is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with ***Township of West Orange*** to notify the ***Township of West Orange*** in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the ***Township of West Orange*** to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):	Darasen Davis	Title:	President
Signature:		Date:	03/20/2023

TOWNSHIP OF WEST ORANGE

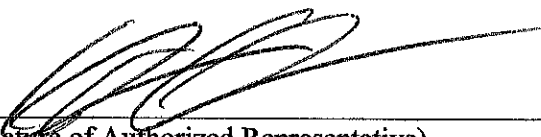
ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt</u> (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☒ **No addenda were received:**

Acknowledged for: Fat Daddy'z
(Name of Bidder)

By: 
(Signature of Authorized Representative)

Name: Darasen Davis
(Print or Type)

Title: Owner

Date: 03/20/2023

Business Registration Certification and Public Works Contractor Registration Certification

Effective September 1, 2004, the State has expanded its Contractor Registration Program to local Government contracts, P.L. 2004, c57. All business organizations that do business with a local government agency are required to be registered with the State. The business must provide proof of that registration to the local government agency before that local government agency can enter into a contract with the business. Further information and registration can be obtained online at:

<http://www.state.nj.us/treasury/revenue/busregcert.shtml> or by calling (609) 292-1730.

NON-COLLUSION AFFIDAVIT

State of New Jersey

County of Essex

ss: 155-92-1773

I, Darasen DAVIS residing in West Orange
(name of affiant) (name of municipality)
in the County of Essex and State of New Jersey of full age, being duly
sworn according to law on my oath depose and say that:

I am President of the firm of Fat Daddy's
(title or position) (name of firm)

the bidder making this Proposal for the bid
0023 Contract for food & Beverage concession
entitled at West Orange Ginny Duenkel and that I executed the said proposal with
(title of bid proposal)

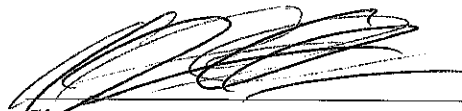
full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any
collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named
project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full
knowledge that the Township of West Orange relies upon the truth of the statements contained
in said Proposal
(name of contracting unit)

and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon
an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide
employees or bona fide established commercial or selling agencies maintained by
Fat Daddy's.

Subscribed and sworn to

before me this day


Signature

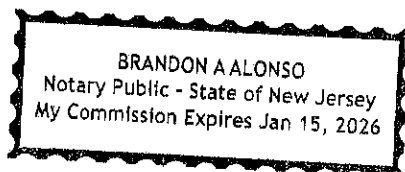
15 March, 2023

Darasen DAVIS
(Type or print name of affiant under signature)

B. Alonso
Notary public of New Jersey

My Commission expires 1/15/2026

(Seal)



Prohibited Russia-Belarus Activities & Iran Investment Activities

Person or Entity

Fat Daddy'z

Part 1: Certification

COMPLETE PART 1 BY CHECKING **ONE OF THE THREE BOXES BELOW**

Pursuant to law, any person or entity that is a successful bidder or proposer, or otherwise proposes to enter into or renew a contract, for goods or services must complete the certification below prior to contract award to attest, under penalty of perjury, that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list or Chapter 25 list as a person or entity engaging in prohibited activities in Russia, Belarus or Iran. Before a contract for goods or services can be amended or extended, a person or entity must certify that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list. Both lists are found on Treasury's website at the following web addresses:

<https://www.nj.gov/treasury/administration/pdf/RussiaBelarusEntityList.pdf>

www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf

As applicable to the type of contract, the above-referenced lists must be reviewed prior to completing the below certification.

A person or entity unable to make the certification must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran. The person or entity must cease engaging in any prohibited activities and provide an updated certification before the contract can be entered into.

If a vendor or contractor is found to be in violation of law, action may be taken as appropriate and as may be provided by law, rule, or contract, including but not limited to imposing sanctions, seeking compliance, recovering damages, declaring the party in default, and seeking debarment or suspension of the party.

CONTRACT AWARDS AND RENEWALS



I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate appears on the N.J. Department of Treasury's lists of entities engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3 or in investment activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. (Skip Part 2 and sign and complete the Certification below.)

CONTRACT AMENDMENTS AND EXTENSIONS



I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate is listed on the N.J. Department of the Treasury's lists of entities determined to be engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3. I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. (Skip Part 2 and sign and complete the Certification below.)

IF UNABLE TO CERTIFY



I am unable to certify as above because the person or entity and/or a parent entity, subsidiary, or affiliate is listed on the Department's Russia-Belarus list and/or Chapter 25 Iran list. I will provide a detailed, accurate, and precise description of the activities as directed in Part 2 below, and sign and complete the Certification below. Failure to provide such will prevent the award of the contract to the person or entity, and appropriate penalties, fines, and/or sanctions will be assessed as provided by law.

Part 2: Additional Information

PLEASE PROVIDE FURTHER INFORMATION RELATED TO PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS AND/OR INVESTMENT ACTIVITIES IN IRAN.

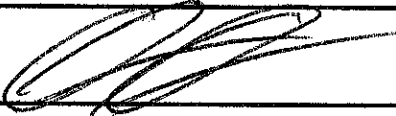
You must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran in the space below and, if needed, on additional sheets provided by you.

Part 3: Certification of True and Complete Information

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there, to the best of my knowledge, are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity.

I acknowledge that the Township of West Orange is relying on the information contained herein and hereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Township of West Orange to notify the Township of West Orange in writing of any changes to the answers of information contained herein.

I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the Township of West Orange and that the Township of West Orange at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print)	Darasen Davis	Title	Owner
Signature		Date	03/20/2023

Political Contribution Disclosure Statement Pursuant to Chapter 2, Section 68 of the Revised General Ordinances of the Township of West Orange

Pursuant to Section 2-68.1 of the Revised General Ordinances of the Township of West Orange, please set forth below all political contributions in cash or in kind of two hundred (\$200.00) dollars or more made within five (5) years of the date of acceptance of a proposal for a negotiated contract with the Township of West Orange, or within five (5) years of the notice of award for a bid contract with the Township of West Orange, either directly or indirectly, by the individuals or any of the principals of the business entity completing this form or by the business entity itself, to any elected official of the Township of West Orange currently in office or any political organization affiliated with an elected official of the Township currently in office.¹

<u>Name of Individual/Entity Making Contribution</u>	<u>Amount of Contribution</u>	<u>Recipient of Contribution</u>	<u>Date of Contribution</u>
N/A			

If you have <u>NOT</u> made any contributions within the scope of Section 2-68.1, as set forth above, please X the line to the right.	NONE
	—

I hereby certify under penalty of perjury that the information provided herein is true and accurate to the best of my knowledge, information and belief.

The current elected officials of the Township include the following: Mayor Susan McCartney, Councilman Bill Rutherford, Councilwoman Michelle Casalino, Councilwoman Tammy Williams, Councilwoman Asmeret Ghebremicael and Councilwoman Susan Scarpa .

Fat Daddy'z
Company Name


Authorized Signature

Darasen Davis
Printed Name

03/20/2023
Date



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: FAT DADDY'Z LLC

Trade Name:

Address: 371 CENTRAL AVE
NEWARK, NJ 07103

Certificate Number: 2611570

Effective Date: July 20, 2021

Date of Issuance: March 15, 2023

For Office Use Only:

20230315103615236

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. fat Daddy2		
2 Business name/disregarded entity name, if different from above		
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see Instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see Instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
5 Address (number, street, and apt. or suite no.) See Instructions. 288 Main St		Requester's name and address (optional)
6 City, state, and ZIP code West Orange		
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
			-			-		
or								
Employer identification number								
8	4	-	4	3	6	2	6	8

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► 	Date ► 3/13/23
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding*, later.

FAT DADDY'Z MENU

DOGS

Hot Dog \$4.00

2 Hot Dog combo w/
French Fries \$10.00

Italian Hotdog \$12.00
Potatoes Onion & Peppers

SANDWICHES

Cheesesteak \$11.00
Cheese Onions & Peppers

Cheesesteak Combo \$14.00
w/ French Fries (on the side)
Cheese Onions & Peppers

CHICKEN

4 Piece Wings \$9.00
BBQ...Buffalo...Thai Chili...Lemon Pepper

4 Piece Wings combo \$12.00
w/ French Fries
BBQ...Buffalo...Thai Chili...Lemon Pepper

Chicken & Waffles \$15.00
Sliders

Chicken Tenders \$9.00

Chicken Tenders \$11.00

Combo w/ French Fries

VEGAN

Mushroom Cheesesteak \$8.00
Cheese Onions & Peppers

Mushroom \$10.00
Cheesesteak Combo w/
French Fries
Cheese Onions & Peppers

SIDES

French Fries \$4.00

Cheese Fries \$6.00

Nachos w/ Cheese \$6.00

DESSERT

Funnel Cake Fries \$8.00
Powdered sugar & Dipping Sauce



STATE OF NEW JERSEY
Division of Purchase & Property
Contract Compliance Audit Unit
EEO Monitoring Program

EMPLOYEE INFORMATION REPORT

IMPORTANT-READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED \$150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11. For instructions on completing the form, go to: http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf

SECTION A - COMPANY IDENTIFICATION

1. FID. NO. OR SOCIAL SECURITY 84-4362681	2. TYPE OF BUSINESS ☐ 1. MFG ☒ 2. SERVICE ☐ 3. WHOLESALE ☐ 4. RETAIL ☐ 5. OTHER	3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY 5
4. COMPANY NAME Lat Daclyz		
5. STREET 288 Main St.	CITY Essex	STATE NJ ZIP CODE 07050 West Orange
6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE) CITY STATE ZIP CODE		
7. CHECK ONE: IS THE COMPANY: ☐ SINGLE-ESTABLISHMENT EMPLOYER ☐ MULTI-ESTABLISHMENT EMPLOYER		
8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ		
9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT		
10. PUBLIC AGENCY AWARDED CONTRACT CITY COUNTY STATE ZIP CODE		

Official Use Only	DATE RECEIVED	INAG. DATE	ASSIGNED CERTIFICATION NUMBER

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories, in columns 1, 2, & 3. **DO NOT SUBMIT AN EEO-1 REPORT.**

JOB CATEGORIES	ALL EMPLOYEES			PERMANENT MINORITY/NON-MINORITY EMPLOYEE BREAKDOWN									
	COL. 1 TOTAL (Cols. 2 & 3)	COL. 2 MALE	COL. 3 FEMALE	***** MALE *****					***** FEMALE *****				
				BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.
Officials/ Managers	1	1		1									
Professionals													
Technicians													
Sales Workers													
Office & Clerical	1	1		1									
Craftworkers (Skilled)													
Operatives (Semi-skilled)													
Laborers (Unskilled)													
Service Workers	3	2	1	1					2				
TOTAL													
Total employment From previous Report (If any)													
Temporary & Part-Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.												

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? ☒ 1. Visual Survey ☐ 2. Employment Record ☐ 3. Other (Specify)	14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES ☒ 2. NO ☐	15. IF NO, DATE LAST REPORT SUBMITTED MO. DAY YEAR
13. DATES OF PAYROLL PERIOD USED From: To:		

SECTION C - SIGNATURE AND IDENTIFICATION

16. NAME OF PERSON COMPLETING FORM (Print or Type) Dariusz Dais	SIGNATURE 	TITLE President	DATE MO. DAY YEAR 3/13/03
17. ADDRESS NO. & STREET 288 Main St	CITY IND	COUNTY Essex	STATE NJ ZIP CODE PHONE (AREA CODE, NO., EXTENSION) - -

203-23
May 16, 2023

R E S O L U T I O N

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 Re-bid; Fire Station No. 3 Wall Replacement; and

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

WHEREAS, the lowest bidder withdrew the bid due to a misunderstanding of all the work to be performed under the segmental block wall item; 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 Fire Station No. 3 Wall Replacement is hereby awarded to:

KULPEKSA LANDSCAPING CORP.

248 FRANKLIN AVENUE

ROCKAWAY, NJ 07866

in the amount of \$318,175.00 which represents the Base Bid of \$292,875.00, and an Alternate Bid of \$25,300.00.

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 Carnevale, Municipal Clerk

Tammy Williams, Council President

Adopted: May 16, 2023

I hereby certify funds are available from:

**ACCOUNT NO.
FIRE HOUSES**

John Gross, Chief Financial Officer

BASE BID

FIRE STATION NO. 3 WALL REPLACEMENT

PROJECT NO. _____BIDS RECEIVED ON: MAY 2, 2023

203-23

				1		2		3		4	
Awarded By Township of West Orange on: - Resolution No.				FDM Construction 90 Willow Street Carteret, N.J. 07008 WITHDRAWN		Kulpeksa Landscaping Corp. 248 Franklin Ave. Rockaway, N.J. 07866		Grabowski Construction, Inc. 770 Northfield Ave. West Orange, N.J.07052		Brennan Brothers Construction 28 Maple Street Old Bridge, N.J. 08857	
ITEM NO.	Description of Items	Unit Measure	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	Lump Sum	1	\$12,000.00	\$12,000.00	\$5,000.00	\$5,000.00	\$30,000.00	\$30,000.00	\$5,000.00	\$5,000.00
2	Construction Layout	Lump Sum	1	\$3,000.00	\$3,000.00	\$3,600.00	\$3,600.00	\$2,000.00	\$2,000.00	\$5,000.00	\$5,000.00
3	Soil Erosion and Sediment Control	Lump Sum	1	\$3,000.00	\$3,000.00	\$3,200.00	\$3,200.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
4A	Traffic Control	Lump Sum	1	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$4,000.00	\$4,000.00	\$500.00	\$500.00
4B	Police Traffic Director	Allow	1	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
4C	Fuel Price Adjustment	Allow	1	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00
4D	Asphalt Price Adjustment	Allow	1	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00
5	Final Cleanup	Lump Sum	1	\$2,000.00	\$2,000.00	\$4,800.00	\$4,800.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
6	Site Clearing	Lump Sum	1	\$2,000.00	\$2,000.00	\$15,000.00	\$15,000.00	\$25,000.00	\$25,000.00	\$42,300.00	\$42,300.00
7	Dense Graded Aggregate, 6" Thick	CY	30	\$20.00	\$600.00	\$30.00	\$900.00	\$60.00	\$1,800.00	\$40.00	\$1,200.00
8B	Tack Coat	Gallon	20	\$20.00	\$400.00	\$5.00	\$100.00	\$35.00	\$700.00	\$20.00	\$400.00
8C	HMA Surface Course, \$12.5M64	Ton	18	\$200.00	\$3,600.00	\$130.00	\$2,340.00	\$200.00	\$3,600.00	\$100.00	\$1,800.00
8D	HMA Base Course, 19M64	Ton	48	\$200.00	\$9,600.00	\$120.00	\$5,760.00	\$200.00	\$9,600.00	\$250.00	\$12,000.00
9	PVC Fence, 6' high	LF	100	\$80.00	\$8,000.00	\$40.00	\$4,000.00	\$175.00	\$17,500.00	\$100.00	\$10,000.00
10	Segmental Block Wall	Lump Sum	1	\$41,280.00	\$41,280.00	\$148,000.00	\$148,000.00	\$100,000.00	\$100,000.00	\$87,000.00	\$87,000.00
11A	Reinforced Concrete Pipe, 15" Dia, CL IV	LF	55	\$200.00	\$11,000.00	\$125.00	\$6,875.00	\$75.00	\$4,125.00	\$100.00	\$5,500.00
11B	PVC Pipe, 8" Dia	LF	140	\$40.00	\$5,600.00	\$68.00	\$9,520.00	\$60.00	\$8,400.00	\$75.00	\$10,500.00
11C	Inlet, Type E	Unit	1	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$3,500.00	\$3,500.00
11D	Inlet, Type Y	Unit	2	\$1,500.00	\$3,000.00	\$1,250.00	\$2,500.00	\$2,500.00	\$5,000.00	\$2,500.00	\$5,000.00
11E	Clean Out, 4" Dia	Unit	2	\$60.00	\$1,200.00	\$5.00	\$10.00	\$900.00	\$1,800.00	\$1,000.00	\$2,000.00
12	Concrete Sidewalk	SF	410	\$12.00	\$4,920.00	\$8.00	\$3,280.00	\$12.00	\$4,920.00	\$20.00	\$8,200.00
13	Concrete Vertical Curb	LF	90	\$50.00	\$4,500.00	\$90.00	\$3,240.00	\$45.00	\$4,050.00	\$75.00	\$6,750.00
14	Traffic Striping, incl. Gores	Lump Sum	1	\$4,500.00	\$4,500.00	\$4,400.00	\$4,400.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00
15	Tree Removal	Unit	6	\$1,800.00	\$10,800.00	\$550.00	\$3,300.00	\$1,000.00	\$6,000.00	\$500.00	\$3,000.00
16	Site Restoration	Lump Sum	1	\$6,000.00	\$6,000.00	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$30,000.00	\$30,000.00
17	Planting & Mulching	Lump Sum	1	\$4,000.00	\$4,000.00	\$8,800.00	\$8,800.00	\$10,000.00	\$10,000.00	\$7,500.00	\$7,500.00
18	Contract Allowance	Lump Sum	1	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00	\$45,000.00
	BASE BID TOTALS			Bid Amount	\$195,750.00	Bid Amount	\$292,875.00	Bid Amount	\$303,245.00		\$307,400.00
	TOTALS				Bid Bond 10%		Bid Bond 10%		Bid Bond 10%		Bid Bond 10%

Specified Alternate Items
FIRE STATION NO. 3 WALL REPLACEMENT

PROJECT NO. _____

BIDS RECEIVED ON: MAY 2, 2023

Awarded By Township of West Orange on: - Resolution No.				1 FDM Construction 90 Willow Street Carteret, N.J. 07008 WITHDRAWN		2 Kulpeksa Landscaping Corp. 248 Franklin Ave. Rockaway, N.J. 07866		3 Grabowski Construction, Inc. 770 Northfield Ave. West Orange, N.J.07052		4 Brennan Brothers Construction 28 Maple Street Old Bridge, N.J. 08857	
ITEM NO.	Description of Items	Unit Measure	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
8A	HMA Milling, 3" or less	SY	600	\$20.00	\$12,000.00	\$12.00	\$7,200.00	\$8.00	\$4,800.00	\$21.45	\$12,870.00
8B	Tack Coat	Gallon	60	\$20.00	\$1,200.00	\$5.00	300	\$50.00	\$3,000.00	\$6.62	\$397.20
8C	HMA Surface Course, 12.5M64	Ton	70	\$200.00	\$14,000.00	\$180.00	\$12,600.00	\$200.00	\$14,000.00	\$251.68	\$17,617.60
8D	HMA Base Course, 19M64	Ton	20	\$80.00	\$1,600.00	\$160.00	\$3,200.00	\$200.00	\$14,000.00	\$50.00	\$1,000.00
18	Rock Excavation	BCY	20	\$250.00	\$5,000.00	\$50.00	\$1,000.00	\$150.00	\$3,000.00	\$1.00	\$20.00
19	Removal and Replacement of Unsuitable	BCY	40	\$50.00	\$2,000.00	\$25.00	\$1,000.00	\$50.00	\$2,000.00	\$1.00	\$40.00
	ALTERNATE BID TOTALS			Bid Amount	\$35,800.00	Bid Amount	\$25,300.00	Bid Amount	\$40,800.00		\$31,944.80
	TOTALS				Bid Bond 10%		Bid Bond 10%		Bid Bond 10%		Bid Bond 10%

BASE + ALTERNATE BID TOTALS

\$231,550.00

\$318,175.00

\$344,045.00

\$339,344.80

FDM Construction

GENERAL CONTRACTOR, LLC

203-23

May 2, 2023

Zayibeth Carballo

Department of Public Works/Engineering Division
Township of West Orange
25 Lakeside Avenue
West Orange, NJ 07052

RE: Fire Station No. 3 Wall Replacement Improvement
Bid Withdraw

Dear Ms. Carballo,

Please accept this letter requesting the bid from FDM Construction to be withdrawn for the **Fire Station No. 3 Wall Replacement Improvement** project that was bid on 5/2/2023 at 10:00AM. We have mistakenly overlooked the details related to item No. 10, Segmental Block Wall (Large Redi Block or approved equal). We misunderstood the plans which showed a 176 Linear Foot Wall, but we did not realize the extent of the work. We assumed that the wall will be a design-build as needed and that the contract allowance was to cover anything over your standard retention wall (3'-4' height).

We apologize for the misunderstanding and kindly request that we be withdrawn from this bid.

Sincerely,



Hugo Fernandes
Owner
Fdmconstruction81@gmail.com

RESOLUTION

BE IT RESOLVED by the Township Council of the Township of West Orange that the contract entitled “The Maintenance of Various Township Owned Parcels, Including Turf Maintenance, Litter and Debris Collection and Disposal, Weed Control and Fall Leaf Collection and Disposal” awarded to D’Onofrio and Son, Inc., Landscaping of 47 Van Ness Terrace, Maplewood, New Jersey 07040 by Resolution No. 60-22 dated March 15, 2022 in the amount of \$184,500.00 for the following services:

1. Base Bid - 1 - Turf Maintenance, Litter & Debris Collection, Weed Control, Leaf Collection All Parcels	\$103,150.00
2. Alternate 1B - 1 Maintenance of Shrubs & Beds for Trees, Shrubs and Flowers All Parcels	\$ 10,700.00
3. Alternate 1C - 1 Chemical & Fertilizer Application All Parcels	\$ 36,950.00
4. Alternate 1D-1 Final Fall Clean-up	\$ 19,500.00
5. Alternate 7 - 1 Maintain Mulch in Beds (Allowance @ \$60 per cubic yard)	\$ 6,000.00
6. Alternate 8-1 10 Rooney Circle Prorated when directed	<u>\$ 8,200.00</u>
TOTAL	\$184,500.00

7. Alternate 6-1 Property Cleanup and Maintenance of unspecified properties:
Initial Property Cleanup \$95/hr.
Weekly Maintenance \$95/hr.
Biweekly Maintenance \$95/hr.
Fall Cleanup \$110/hr.

be extended for a second year for the period beginning April 1, 2023 and ending November 30, 2023 for the same services in the amount of \$184,500.00.

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

Tammy Williams, Council President

Adopted: May 16, 2023

I hereby Certify funds are available from:

Buildings and Grounds

Account No.:01-2010-00-7101-116

\$184,500.00

John Gross, Chief Financial Officer

**RESOLUTION AWARDING MAINTENANCE OF VARIOUS TOWNSHIP OWNED
PARCELS 2022, TURF MAINTENANCE, LITTER AND DEBRIS COLLECTION,
WEED CONTROL AND FALL LEAF COLLECTION AND DISPOSAL**

WHEREAS, on February 3, 2022 pursuant to the requirements of the Local Public Contracts Law the Township of West Orange advertised for bids for the service contract entitled "2022 The Maintenance of Various Township Owned Parcels, Including Turf Maintenance, Litter and Debris Collection, Weed Control and Fall Leaf Collection and Disposal" prepared by the Engineering Division of the Township of West Orange dated January 2022; and

WHEREAS, on March 3, 2022 the Township received ONE bid for this service contract; and

WHEREAS, the Township Engineer reviewed the bid submission which included a Base Bid and Base Bids for two additional one-year periods and 57 Alternates for three one-year periods commencing April 1 and concluding November 30 in 2022, 2023 and 2024; and

WHEREAS, upon review of the proposal of D'Onofrio & Son, Inc., Landscaping and based on the funds available for this service in the 2022 Operating Budget for the Township of West Orange the Township Engineer recommends awarding the following Bid Items to D'Onofrio and Son, Inc., Landscaping, 47 Van Ness Terrace, Maplewood, New Jersey 07040:

- | | |
|---|--------------|
| 1. Base Bid - 1 - Turf Maintenance,
Litter & Debris Collection, Weed Control, Leaf Collection
All Parcels | \$103,150.00 |
| 2. Alternate 1B - 1 Maintenance of
Shrubs & Beds for Trees, Shrubs and Flowers
All Parcels | \$ 10,700.00 |
| 3. Alternate 1C - 1 Chemical & Fertilizer Application
All Parcels | \$ 36,950.00 |
| 4. Alternate 1D-1
Final Fall Clean-up | \$ 19,500.00 |
| 5. Alternate 7 - 1 Maintain Mulch in Beds
(Allowance @ \$60 per cubic yard) | \$ 6,000.00 |
| 6. Alternate 8-1 10 Rooney Circle | \$ 8,200.00 |

TOTAL **\$184,500.00**

7. Alternate 6-1 Property Cleanup and Maintenance of unspecified properties:

Initial Property Cleanup	\$95/hr.
Weekly Maintenance	\$95/hr.
Biweekly Maintenance	\$95/hr.
Fall Cleanup	\$110/hr.

for the period April 1, 2022 to November 30, 2022 and

WHEREAS, D'Onofrio & Son, Inc., Landscaping bid the same amount for the same alternates for the periods April 1, 2023 to November 30, 2023 and April 1, 2024 to November 30, 2024; and

WHEREAS, D'Onofrio & Sons, Inc., Landscaping strictly complied with all bid submission requirements and is thus the lowest responsive bidder for the services described in the Base Bid and Alternates selected; and

WHEREAS, sufficient funds exist for this contract; 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 a service contract entitled "2022 The Maintenance of Various Township Owned Parcels, Including Turf Maintenance, Litter and Debris Collection, Weed Control and Fall Leaf Collection and Disposal" be awarded to D'Onofrio & Son Inc., Landscaping, 47 Van Ness Terrace, Maplewood, New Jersey 07040 in the amount of \$184,500.00 for the Base Bid-1, Alternate 1B-1, Alternate 1C-1, Alternate 1D-1, Alternate 7 - 1 with an allowance of \$6,000.00 and Alternate 8-1 for the period April 1, 2022 to November 30, 2022.

BE IT FURTHER RESOLVED that the unit prices bid in Alternate 6-1 for specific services for parcels not itemized in the Bid Documents be awarded to D'Onofrio and Son, Inc., Landscaping for Initial Property Cleanup \$95.00 per hour, Weekly Maintenance \$95.00 per hour, Biweekly Maintenance \$95.00 per hour and Fall Cleanup \$110.00 per hour for the period April 1, 2022 to November 30, 2022.

60-22
March 15, 2022

BE IT FURTHER RESOLVED by the Township Council of the Township of West Orange that the option to extend this contract for two additional one-year periods April 1, 2023 to November 30, 2023 and April 1, 2024 to November 30, 2024, for the Base Bid and Alternates described above in the amount of \$184,500.00 for each year and the unit prices in Alternates 6-2 and 6-3 be awarded to D'Onofrio & Son, Inc., Landscaping.

Karen Carnevale, Municipal Clerk

Susan McCartney, Council President

Adopted:

I hereby certify funds are available from:

BUILDING AND GROUNDS
ACCOUNT NO.: 01-2010-00-7101-116
\$184,500.00

John Gross, Chief Financial Officer

**Township of West Orange
Essex County, New Jersey**

Resolution No. 205-23
May 16, 2023

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Morris Road, Sussex Road and Hunterdon Road Improvements Project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of West Orange formally approve the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “MA-2024-Morris Road, Sussex Road and Hunterdon-00006” to the New Jersey Department of Transportation on behalf of the Township of West Orange.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Orange and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Mayor and Township Council
On this 16th day of May, 2023.

Karen J. Carnevale, RMC
Municipal Clerk

Susan McCartney, Mayor

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Karen J. Carnevale, RMC
Municipal Clerk

Tammy Williams, Council President

RESOLUTION AUTHORIZING THE COLLECTOR OF TAXES TO REFUND PAYMENT TO THE LISTED
TAXPAYER DUE TO AN OVERPAYMENT OF TAXES DUE TO A DUPLICATE PAYMENT

WHEREAS, certain West Orange property owners or their mortgage company have made a duplicate payment;

WHEREAS, the Tax Collector of the Township of West Orange has indicated that such Taxpayers or their mortgage company are entitled to refunds to the extent of such overpayments;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that the Tax Collector and the Treasurer of the Township of West Orange be and they are hereby authorized, empowered and directed to cause to be paid to the taxpayers on the attached list sums in full and final satisfaction of the overpayment of taxes.

<u>Block</u>	<u>Lot</u>	<u>Name & Address</u>	<u>Amount</u>
3.01	69	Corelogic PO Box 9202 Coppell, TX 75019	\$ 3,002.66
45.05	11	James Harrington 38 Burnett Terrace West Orange, NJ 0752	\$4,122.00
55	9	Corelogic PO Box 9202 Coppell, TX 75019	\$4,041.20
155.07	28	Corelogic PO Box 9202 Coppell, TX 75019	\$ 3,381.00
172.14	46	Corelogic PO Box 9202 Coppell, TX 75019	\$ 2,780.00
176.09	3	Aron Raklyar 17 Marie Terrace West Orange, NJ 07052	\$ 114.93
		Total:	\$17,441.79

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

Tammy Williams, Council President

Adopted: May 16, 2023

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

John Gross, Chief Financial Officer

**RESOLUTION AUTHORIZING THE COLLECTOR OF TAXES
TO REFUND PAYMENT TO THE LISTED TAXPAYER
DUE TO VETERAN EXEMPTION**

WHEREAS the Assessor has granted a 100% Veteran Disabled exemption to parcels listed below and a letter of eligibility from the Veteran's Administration is on file in the Assessor's office showing the effective date of exemption.

WHEREAS, the owner or its mortgage servicer made payments after the date of exemption and tax refunds are due in the amounts listed below.

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 homeowners the tax refunds due:

Block	Lot	Qual	Owner's Name & Address	Amount
81.01	7		Corelogic Centralized Refunds PO Box 9202 Coppell, TX 75019	\$5,701.38
173.14	16		Wells Fargo Real Estate Tax Services Attn: Refunds/Financial Support PO Box 14506 Des Moines, IA 50306	\$7,750.00
TOTAL AMOUNT:				\$13,451.38

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

Tammy Williams, Council President

Adopted: May 16, 2023

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

John Gross, Chief Financial Officer

208-23
May 16, 2023

**RESOLUTION AUTHORIZING THE AGREEMENT BETWEEN THE COUNTY OF ESSEX,
TOWNSHIP OF WEST ORANGE AND STATE OF NEW JERSEY TO RECEIVE GRANT
FUNDING FROM THE GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
TO PROVIDE ALCOHOLISM/DRUG SERVICES**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, in coordination with GCADA, the New Jersey Department of Human Services/ Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program; and

WHEREAS, the Township Council of the Township of West Orange, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Township of West Orange submitted an application for DHMAS Grant funding for the West Orange Municipal Alliance which was approved by the Township Council by Resolution 34-23 on January 24, 2023 attached hereto as Exhibit “A;” and

NOW, THEREFORE, BE IT RESOLVED, the Township Council authorizes the Township of West Orange to enter the Contract and Form 1A Strategic Plan attached hereto as Exhibit “B.”

APPROVED: _____
Susan McCartney, Mayor

APPROVED: _____
Tammy Williams, Council President

CERTIFICATION

I, Karen J. Carnevale, Municipal Clerk of the Township of West Orange, County of Essex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 16th day of May, 2023

Karen J. Carnevale, Municipal Clerk

EXHIBIT A

**RESOLUTION AUTHORIZING ACCEPTANCE OF
GRANT APPLICATION TO GOVERNOR'S COUNCIL
ON ALCOHOLISM AND DRUG ABUSE**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of West Orange, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Essex;

NOW, THEREFORE, BE IT RESOLVED by the Township of West Orange, County of Essex, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Municipal Alliance grant for fiscal year July 1, 2023 to June 30, 2024 in the amount of:

DEDR	<u>\$ 24,202.07</u>
Cash Match	<u>\$ 6,050.52</u>
In-Kind	<u>\$ 18,151.55</u>
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____


Susan McCartney, Mayor


Tammy Williams, Council President

CERTIFICATION

I, Karen J. Carnevale, Municipal Clerk of the Township of West Orange, County of Essex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 24th day of January, 2023.


Karen J. Carnevale, Municipal Clerk

EXHIBIT B

CONTRACT

AGREEMENT entered into by and between the County of Essex, a body politic and corporate of the State of New Jersey through the Office of Alcoholism, Drug Abuse and Addiction Services, (hereinafter referred to as the "County") and **the Township of West Orange Municipal Alliance**, herein referred to as the "Subgrantee"

WHEREAS, the County has received grant funding from the Governor's Council on Alcoholism and Drug Abuse to provide Alcoholism/Drug Services; and

WHEREAS, the County proposes to contract with Subgrantee to provide said services for prevention, education, and intervention for preschoolers to senior citizens.

WHEREAS, in response to the County's Request for Application dated March 24, 2023.

WHEREAS, the Subgrantee has submitted to the County its Application dated May 12, 2023 for the performance of such services (hereinafter referred to as the "Strategic Plan"); and

WHEREAS, the parties propose hereby to enter into an agreement in accordance with said "Strategic Plan", the Subgrantee's Application, and the State of New Jersey, Governor's Council on Alcoholism and Drug Abuse Guidelines (Attachments A, B, C and D) for the performance of such services;

WHEREAS, the Subgrantee has agreed that funds for services provided under this grant will not be used for any other purpose other than those listed in this contract.

NOW, therefore, it is agreed as follows:

1. TERM

This agreement shall begin on July 1, 2023 and shall terminate on June 30, 2024.

2. SERVICE TO BE PERFORMED BY SUBGRANTEE

Prevention, education, and intervention of alcohol/drug abuse for citizens in the entire community from preschoolers through senior citizens in accordance with the approved Strategic Plan.

3. COMPENSATION

The County agrees to reimburse the Subgrantee for its services, in the amount of **\$24,202.07** in accordance with the fee schedule set forth in its Strategic Plan and approved program activities. Subgrantee shall submit quarterly reports, which shall serve as the basis of reimbursement and shall comply with the County's standard billing and payment procedures.

4. COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS

- A. Subgrantee shall comply with all applicable government codes and regulations (such as electrical, building, plumbing, fire, fire prevention, health, and environmental codes).
- B. Subgrantee shall provide any assistance as requested by the County in relation to any appearances before any municipal or other forum.

5. TIME FOR PERFORMANCE OF SERVICES

Subgrantee shall proceed with due diligence and shall complete such work within the time required by the Strategic Plan, County of Essex program requirements and the Governor's Council on Alcoholism and Drug Abuse requirements.

6. INSURANCE: INDEMNIFICATION

Subgrantee shall maintain comprehensive general liability insurance of at least \$1,000,000.00 per occurrence naming the County as an additional insured in any such policy of insurance therefore, and shall provide the County with a Certificate of Insurance as evidence of said policy upon execution of this Agreement. Subgrantee shall ensure that the County always has a current Certificate of Insurance throughout the term of this agreement.

Subgrantee hereby indemnifies and holds the County harmless from all liability claims arising out of the acts or omissions of its agents, servants, employees and/or subcontractors, including the cost of defense and/or attorney's fees.

7. AFFIRMATIVE ACTION

The parties to this Agreement agree that incorporated herein is the mandatory language of N.J.A.C. 17:27-3.4 (a) and N.J.A.C. 17:27-5.3 promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, c127, 25 as amended and supplemented from time to time, and the Subgrantee agrees to comply fully with the terms, provisions and obligations of said N.J.A.C. 17:27-3.4 (a) and N.J.A.C. 17:27-5.3 provided that N.J.A.C. 17:27-3.4. (a) shall be applied subject to the terms of N.J.A.C. 17:27-3.4 (d).

8. NON-DISCRIMINATION

The parties to this Agreement do hereby agree that the provisions of N.J.S.A. 10:2-1 through 10:2-4 dealing with discrimination in employment on public contracts, and the rules and regulations promulgated thereto, are hereby made a part of this Agreement and are binding upon them.

9. EFFECTIVE DATE

This Agreement shall not be effective and binding upon the parties unless and until it is executed by the Essex County Executive and approved by the Essex County Board of Commissioners by resolution.

10. GOVERNING LAW

This Agreement shall be construed, governed by, and interpreted in accordance with the laws of the State of New Jersey.

11. SUBCONTRACTING

Subgrantee represents that it has not secured the services of any other consultant or associate as subcontractor. In the event Subgrantee seeks to subcontract any part of the services specified herein above, then before such subcontractor is approved, the County shall have the absolute right to review the qualifications of any subcontractor, and if any such subcontractor, in the sole and absolute discretion of the County, is unsatisfactory to the County, then in that event, the County may disaffirm and cancel this Agreement by so notifying the Subgrantee in writing, in which case this Agreement shall be null and void and of no effect as if never executed by the County. The qualifications of any such subcontractor shall be presented to the County in accordance with the County's Standard Operating Practice and Procedures. Approval of such subcontracting by the County shall not relieve Subgrantee of its responsibility to perform all aspects of the Project covered by this Agreement. Upon approval, any such subcontractor shall be retained and secured by the Subgrantee at the expense of the Subgrantee.

Subgrantee further represents that it and any subcontractor hereunder have obtained all necessary approval to conduct business in the State of New Jersey. To the extent that this representation is inaccurate or cannot be corrected within a reasonable time, the County shall have the absolute right, in its discretion, to disaffirm and cancel this Agreement, which shall be null and void upon the County so disaffirming in writing.

12. INCORPORATION

The following documents are attached hereto and made a part hereof:

- A. Appendix A - Grant Award Conditions
- B. Appendix B - Affidavit
- C. Appendix C - Affirmative Action Affidavit
- D. Appendix D - Statement of Political Contributions

E. Appendix E - Recommendation for Approval

F. Appendix F - Attachments A, B, C and D of Governor's Council Guidelines

To the extent, if any, that there is a conflict between the provisions in the Appendices and those in this Agreement, those provisions, which grant the County the broadest rights and provides it with the most protection shall control and govern the relationship between the parties. Without limiting the generality of the foregoing, the provisions in the Appendices shall be construed, where appropriate, as supplementary of and complimentary to all other provisions in this Agreement and the Appendices hereto shall be cumulative and recourse to one shall not bar the County from relying on any other right or remedy hereunder. References in Appendices to the "Contractor", "Engineer" or similar designations shall be deemed to be Subgrantee herein. The Subgrantee shall submit, on or before the effective date of this Agreement, fully completed Appendices. To the extent that the information disclosed in the Appendices reveals a disability on the part of the Subgrantee which would constitute a ground upon which the County could have rejected the Strategic Plan, or contains material and/or inaccurate statements regarding the Subgrantee's qualifications, then the County shall have the absolute right to disaffirm and cancel this Agreement, in writing, in which case this Agreement shall be null and void and of no effect as if never executed by the County.

IN WITNESS WHEREOF, the parties have signed and sealed this Agreement on the dates set forth below:

ATTEST:

THE COUNTY OF ESSEX

Deborah Davis Ford, Clerk
ESSEX COUNTY BOARD OF
COMMISSIONERS

Joseph N. DiVincenzo, Jr.
ESSEX COUNTY EXECUTIVE OR
REPRESENTATIVE

DATE: _____

DATE: _____

WITNESS

SUSAN MCCARTNEY
MAYOR TOWNSHIP OF WEST
ORANGE

DATE: _____

This Agreement was approved on _____

by Resolution No. _____ of the Essex County Board of
Commissioners.

Deborah Davis Ford, Clerk
ESSEX COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM:

Jerome St. John,
COUNTY COUNSEL

Appendix A

GRANT AWARD MUNICIPAL ALLIANCE

The Grant Award is subject to the following conditions:

1. The program assures that funds provided through this subgrant will not duplicate payment from any other sources.
 2. Grantee must attend all Essex County Municipal Alliance meetings.
 3. Grant period runs from July 1, 2023 through June 30, 2024.
 4. Grantee must submit financial and programmatic reports every three (3) months before any payments are received. Reports must be submitted even if there have not been any activities during the quarter.
 5. The County may conduct programmatic and fiscal monitoring without advanced notification.
 6. Failure to submit quarterly reports on a timely basis may result in significant delays in reimbursement or denial of reimbursement.
 7. If the award request is different from the award received, a new budget must be submitted.
 8. If programs proposed in the approved Request For Strategic Plan are changed, amended or revised, a programmatic revision/modification request form must be submitted to the Essex County Office of Alcoholism, Drug Abuse and Addiction Services and approved in writing prior to the new program being implemented.
-

The above terms are acceptable, and we are willing to comply with them as set forth:
By our signatures, these conditions are made part of the grant.

Date: _____

**SUSAN MCCARTNEY
MAYOR TOWNSHIP OF WEST
ORANGE**

Date: _____

**WILLIAM SULLIVAN, ESQ.
MUNICIPAL ALLIANCE CHAIRPERSON**

Appendix B

AFFIDAVIT

STATE OF NEW JERSEY

SS:

COUNTY OF ESSEX

The undersigned hereby certifies to the truth and accuracy of all statements, answers and data contained in this Strategic Plan, and hereby authorizes the County of Essex to make any necessary examination or inquiry in order to make a determination as to his qualifications and responsibility. The undersigned has examined all parts of the Strategic Plan and understands that it is completely discretionary with the County officials whether to accept, reject or negotiate its Strategic Plan submitted pursuant thereto.

**SUSAN MCCARTNEY
MAYOR TOWNSHIP OF WEST
ORANGE**

Sworn to Before Me This
_____ day of _____, _____

Notary Public or Commissioner of Deeds

Appendix C

AFFIRMATIVE ACTION AFFIDAVIT

STATE OF NEW JERSEY

51 employees or more

SS:

COUNTY OF ESSEX

I, Susan McCartney, of full age, being duly sworn according to law, upon my oath, depose and say:

1. I am the employee and/or officer of the handling of the Township of West Orange (Proposer) in charge of the handling of this bid and/or grant and am fully familiar with the operations of Township of West Orange (Proposer) and also with the provisions of the New Jersey P.L. 1975, Chapter 127, approved June 23, 1975.

2. The Township of West Orange (Proposer) is in compliance with the provisions of the aforementioned P.L. 1975, Chapter 127, and the rules and regulations formulated pursuant to it relating to the filing of affirmative action programs with the New Jersey State Treasurer.

3. The Township of West Orange (Proposer) is aware that any failure to comply with P.L. 1975, Chapter 127, approved June 23, 1975, shall be a breach of grant and will make the Township of West Orange (Proposer) fail to comply.

Proposer

Sworn and subscribed to before me this
_____ day of _____, _____

Notary Public

Appendix C

AFFIRMATIVE ACTION AFFIDAVIT

STATE OF NEW JERSEY

50 employees or less

SS:

COUNTY OF ESSEX

I, _____, of the (City, Township, Borough) of _____, in the County of Essex, State of New Jersey, of full age, being duly sworn according to law on my oath, depose and say that:

1. I am (president, partner, owner) of the firm of a bidder making a Strategic Plan upon the above-named project.

2. _____ does not have 50 employees or more inclusive of all officers and employees of every type.

3. I am familiar with the affirmative action requirements of P.L. 1975, Chapter 127 and rules and regulations issued by the Treasurer, State of New Jersey, pursuant thereto.

4. _____ as complies with all the affirmative action requirements of the State of New Jersey, including those required by P.L. 1975, Chapter 127 and of the rules and regulations issued by the Treasurer, State of New Jersey, pursuant thereto.

5. I am aware that if _____ does not comply with P.L. 1975 and rules and regulations issued pursuant thereto, that no monies will be paid by the State of New Jersey, County of Essex until an affirmative action plan is approved.

I am also aware that the grant may be terminated and the _____ (Proposer) may be debarred from all public contracts or grants, for a period of five (5) years.

**SUSAN MCCARTNEY
MAYOR TOWNSHIP OF WEST
ORANGE**

Subscribed and sworn to before me, this
_____ day of _____, 20____

Notary Public

Appendix D

**STATEMENT OF CERTAIN POLITICAL CONTRIBUTIONS
MADE AFTER NEGOTIATED CONTRACTS**

(This statement is part of the Application packet)

Ordinance Number 0-86-0007 adopted by the Board of Commissioners of the County of Essex requires that all Applications for negotiated contracts submitted by individuals and/or business entities seeking to provide goods to or to perform services for the County of Essex, shall contain a statement setting forth each political contribution by them of \$500.00, or made within five years next preceding the date of said contract or commencing_____, whichever period is less, either directly or indirectly to any County elected official, County political party and/or County official or political organization.

Name of County Elected Official, County Political Party and/or County Official or Political Organization to whom a political contribution of \$500.00 or more was made by proposer within five (5) years of the date hereof. **If none, write “none”.**

NAME

AMOUNT

Proposer: Township of West Orange

By _____
Signature

Print or Type Name of Signatory:

Appendix E

RECOMMENDATION FOR APPROVAL

Pursuant to the Application evaluation process as outlined in this Strategic Plan, the following recommendations are made for appropriate final County approval:

County of Essex	Township of West Orange Name of Contractor
By: _____ Joseph N. DiVincenzo, Jr. County Executive or Representative	By: _____ Mayor Susan McCartney

Approved:

By: _____ Eileen Fishman Single County Alcoholism Authority	By: _____ John Gross, CFO
---	-------------------------------------

Recommended:

By: _____ Essex County LACADA Chairperson	By: _____ William Sullivan, Esq. Municipal Alliance Chairperson
---	---

APPROVED AS TO FORM:

Jerome St. John,
County Counsel

This Municipal Alliance Grant is approved by the Board of Commissioners by Resolution on

Deborah Davis Ford, Clerk
Essex County Board of Commissioners

FORM 1A

FOR COUNTY USE ONLY
Approved: _____ YES _____ NO
Date: _____

STRATEGIC PLAN FOR FUNDING MUNICIPAL ALLIANCES

Grant Year: 2024 Alliance Tier 3

APPLICANT MUNICIPALITY/IES: West Orange	COUNTY: Essex
ALLIANCE NAME: West Orange Municipal Alliance	ALLIANCE WEBSITE:
ALLIANCE STREET ADDRESS: 66 Main Street TOWN: West Orange STATE: NJ ZIP: 07052	
TELEPHONE: (973) 325-4105 Ext.	FAX:
ALLIANCE CHAIRPERSON: William Sullivan, Esq. STREET ADDRESS: Scarinci Hollenbeck, 1100 Valley Brook Avenue, PO Box 790 TOWN: Lyndhurst STATE: NJ ZIP: 07071 EMAIL: wcsullivanjr13@gmail.com	ALLIANCE COORDINATOR: Laura A. Van Dyke, LCSW STREET ADDRESS: 66 Main Street TOWN: West Orange STATE: NJ ZIP: 07052 EMAIL: lvandyke@westorange.org
DATE OF RESOLUTION AUTHORIZING THE STRATEGIC PLAN (MM/DD/YYYY): 01/24/ 2023	

A) Alliance DEDR Allocation \$ 24,202.07

B) Cash Match (must be 25% of DEDR Allocation) \$ 6050.52

C) In-Kind Match (must be 75% of the DEDR Allocation) \$ 18,151.55

TOTAL ALLIANCE BUDGET (add A+ B+C) \$ 48,404.14

West Orange

Susan McCartney

*MUNICIPALITY

NAME/ MAYOR/Head of Governing Body

SIGNATURE

*MUNICIPALITY

Tammy Williams, Council President

NAME/TITLE OF GOVERNING
BODY REPRESENTATIVE

SIGNATURE

*MUNICIPALITY

NAME/TITLE OF GOVERNING
BODY REPRESENTATIVE

SIGNATURE

William Sullivan, Esq.

ALLIANCE CHAIRPERSON

SIGNATURE

DATE

*** If a municipality is part of a consortium, a signature and resolution is required from all participating municipalities entering into the agreement. Signatures hereby accept all components of this grant including membership terms, Statement of Assurances and Fiscal Requirements.**

209-23
May 16, 2023

**RESOLUTION AUTHORIZING THE AGREEMENT BETWEEN THE COUNTY OF ESSEX,
TOWNSHIP OF WEST ORANGE AND STATE OF NEW JERSEY TO RECEIVE GRANT
FUNDING FROM THE GOVERNOR'S COUNCIL ON DHMAS YOUTH LEADERSHIP**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, in coordination with GCADA, the New Jersey Department of Human Services/ Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program; and

WHEREAS, the Township Council of the Township of West Orange, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Township of West Orange submitted an application for DHMAS Grant funding for the West Orange Municipal Alliance which was approved by the Township Council by Resolution 35-23 on January 24, 2023 attached hereto as Exhibit "A;" and

NOW, THEREFORE, BE IT RESOLVED, the Township Council authorizes the Township of West Orange to enter the Contract and Form 1A Strategic Plan attached hereto as Exhibit "B."

APPROVED: _____
Susan McCartney, Mayor

APPROVED: _____
Tammy Williams, Council President

CERTIFICATION

I, Karen J. Carnevale, Municipal Clerk of the Township of West Orange, County of Essex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 16th day of May, 2023

Karen J. Carnevale, Municipal Clerk

EXHIBIT A

**Resolution Of The Township Of West Orange, County Of Essex
And State Of New Jersey Authorizing The Submission Of A
Grant Application For The West Orange Municipal Alliance Committee For Dmhas Grant
Funding For The West Orange Municipal Alliance Grant**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, in coordination with GCADA, the New Jersey Department of Human Services/ Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program; and

WHEREAS, the Township Council of the Township of West Orange, County of Essex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

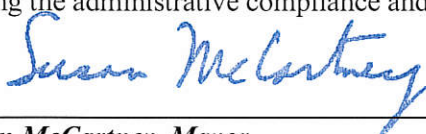
WHEREAS, the Township has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Essex;

NOW, THEREFORE, BE IT RESOLVED by the Township of West Orange, County of Essex, State of New Jersey hereby recognizes the following:

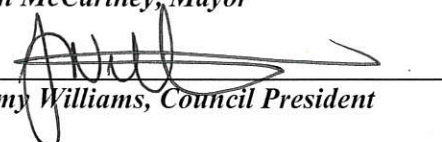
1. The Township Council does hereby authorize submission of an application for DMHAS Grant funding for the West Orange Municipal Alliance for Year Two Grant Term September 1, 2023 through September 30, 2025 in the amount of:

DMHAS	\$ 8,803.78
Cash Match	\$ 0.00
In-Kind	\$ 0.00
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED:



Susan McCartney, Mayor



Tammy Williams, Council President

CERTIFICATION

I, Karen J. Carnevale, Municipal Clerk of the Township of West Orange, County of Essex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 24th day of January, 2023.



Karen J. Carnevale, Municipal Clerk

EXHIBIT B

CONTRACT

AGREEMENT entered into by and between the County of Essex, a body politic and corporate of the State of New Jersey through the Office of Alcoholism, Drug Abuse and Addiction Services, (hereinafter referred to as the "County") and **the Township of West Orange Municipal Alliance, DMHAS Youth Leadership Grant**, herein referred to as the "Subgrantee;"

WHEREAS, the County has received grant funding from the Governor's Council on Alcoholism and Drug Abuse to provide Alcoholism/Drug Services;

WHEREAS, the County proposes to contract with Subgrantee to provide said services for prevention, education and intervention for Youth Leadership;

WHEREAS, in response to the County's Request for Application dated April 11, 2022;

WHEREAS, the Subgrantee has submitted to the County its Application dated May 9, 2022 for the performance of such services (hereinafter referred to as the "Strategic Plan");

WHEREAS, the parties propose hereby to enter into an agreement in accordance with said "Strategic Plan", the Subgrantee's Application, and the State of New Jersey, Governor's Council on Alcoholism and Drug Abuse Guidelines (Attachments A, B, C and D) for the performance of such services; and

WHEREAS, the Subgrantee has agreed that funds for services provided under this grant will not be used for any other purpose other than those listed in this contract.

NOW, therefore, it is agreed as follows:

1. TERM

This agreement shall begin on September 1, 2023 and shall terminate on September 30, 2025.

2. SERVICE TO BE PERFORMED BY SUBGRANTEE

Prevention, education, and intervention of alcohol/drug abuse for citizens in the entire community from preschoolers through senior citizens in accordance with the approved Strategic Plan.

3. COMPENSATION

The County agrees to reimburse the Subgrantee for its services, in the amount of **\$8,803.78** in accordance with the fee schedule set forth in its Strategic Plan and approved program activities. Subgrantee shall submit quarterly reports, which shall serve as the basis of reimbursement and shall comply with the County's standard billing and payment procedures.

4. COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS

- A. Subgrantee shall comply with all applicable government codes and regulations (such as electrical, building, plumbing, fire, fire prevention, health, and environmental codes).
- B. Subgrantee shall provide any assistance as requested by the County in relation to any appearances before any municipal or other forum.

5. TIME FOR PERFORMANCE OF SERVICES

Subgrantee shall proceed with due diligence and shall complete such work within the time required by the Strategic Plan, County of Essex program requirements and the Governor's Council on Alcoholism and Drug Abuse requirements.

6. INSURANCE: INDEMNIFICATION

Subgrantee shall maintain comprehensive general liability insurance of at least \$1,000,000.00 per occurrence naming the County as an additional insured in any such policy of insurance therefore, and shall provide the County with a Certificate of Insurance as evidence of said policy upon execution of this Agreement. Subgrantee shall ensure that the County always has a current Certificate of Insurance throughout the term of this agreement.

Subgrantee hereby indemnifies and holds the County harmless from all liability claims arising out of the acts or omissions of its agents, servants, employees and/or subcontractors, including the cost of defense and/or attorney's fees.

7. AFFIRMATIVE ACTION

The parties to this Agreement agree that incorporated herein is the mandatory language of N.J.A.C. 17:27-3.4 (a) and N.J.A.C. 17:27-5.3 promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, c127, 25 as amended and supplemented from time to time, and the Subgrantee agrees to comply fully with the terms, provisions and obligations of said N.J.A.C. 17:27-3.4 (a) and N.J.A.C. 17:27-5.3 provided that N.J.A.C. 17:27-3.4. (a) shall be applied subject to the terms of N.J.A.C. 17:27-3.4 (d).

8. NON-DISCRIMINATION

The parties to this Agreement do hereby agree that the provisions of N.J.S.A. 10:2-1 through 10:2-4 dealing with discrimination in employment on public contracts, and the rules and regulations promulgated thereto, are hereby made a part of this Agreement and are binding upon them.

9. EFFECTIVE DATE

This Agreement shall not be effective and binding upon the parties unless and until it is executed by the Essex County Executive and approved by the Essex County Board of Commissioners by resolution.

10. GOVERNING LAW

This Agreement shall be construed, governed by, and interpreted in accordance with the laws of the State of New Jersey.

11. SUBCONTRACTING

Subgrantee represents that it has not secured the services of any other consultant or associate as subcontractor. In the event Subgrantee seeks to subcontract any part of the services specified herein above, then before such subcontractor is approved, the County shall have the absolute right to review the qualifications of any subcontractor, and if any such subcontractor, in the sole and absolute discretion of the County, is unsatisfactory to the County, then in that event, the County may disaffirm and cancel this Agreement by so notifying the Subgrantee in writing, in which case this Agreement shall be null and void and of no effect as if never executed by the County. The qualifications of any such subcontractor shall be presented to the County in accordance with the County's Standard Operating Practice and Procedures. Approval of such subcontracting by the County shall not relieve Subgrantee of its responsibility to perform all aspects of the Project covered by this Agreement. Upon approval, any such subcontractor shall be retained and secured by the Subgrantee at the expense of the Subgrantee.

Subgrantee further represents that it and any subcontractor hereunder have obtained all necessary approval to conduct business in the State of New Jersey. To the extent that this representation is inaccurate or cannot be corrected within a reasonable time, the County shall have the absolute right, in its discretion, to disaffirm and cancel this Agreement, which shall be null and void upon the County so disaffirming in writing.

12. INCORPORATION

The following documents are attached hereto and made a part hereof:

- A. Appendix A - Grant Award Conditions
- B. Appendix B - Affidavit
- C. Appendix C - Affirmative Action Affidavit
- D. Appendix D - Statement of Political Contributions
- E. Appendix E - Recommendation for Approval
- F. Appendix F - Attachments A, B, C and D of Governor's Council Guidelines

To the extent, if any, that there is a conflict between the provisions in the Appendices and those in this Agreement, those provisions, which grant the County the broadest rights and provides it with the most protection shall control and govern the relationship between the parties. Without limiting the generality of the foregoing, the provisions in the Appendices shall be construed, where appropriate, as supplementary of and complimentary to all other provisions in this Agreement and the Appendices hereto shall be cumulative and recourse to one shall not bar the County from relying on any other right or remedy hereunder. References in Appendices to the "Contractor", "Engineer" or similar designations shall be deemed to be Subgrantee herein. The Subgrantee shall submit, on or before the effective date of this Agreement, fully completed Appendices. To the extent that the information disclosed in the Appendices reveals a disability on the part of the Subgrantee which would constitute a ground upon which the County could have rejected the Strategic Plan, or contains material and/or inaccurate statements regarding the Subgrantee's qualifications, then the County shall have the absolute right to disaffirm and cancel this Agreement, in writing, in which case this Agreement shall be null and void and of no effect as if never executed by the County.

IN WITNESS WHEREOF, the parties have signed and sealed this Agreement on the dates set forth below:

ATTEST:

THE COUNTY OF ESSEX

Deborah Davis Ford, Clerk
ESSEX COUNTY BOARD OF
COMMISSIONERS

Joseph N. DiVincenzo, Jr.
ESSEX COUNTY EXECUTIVE OR
REPRESENTATIVE

DATE: _____

DATE: _____

WITNESS

SUSAN MCCARTNEY
MAYOR TOWNSHIP OF WEST
ORANGE

DATE: _____

This Agreement was approved on _____

by Resolution No. _____ of the Essex County Board of
Commissioners.

Deborah Davis Ford, Clerk
ESSEX COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM:

Jerome St. John,
COUNTY COUNSEL

Appendix A
GRANT AWARD
MUNICIPAL ALLIANCE

The Grant Award is subject to the following conditions:

1. The program assures that funds provided through this subgrant will not duplicate payment from any other sources.
 2. Grantee must attend all Essex County Municipal Alliance meetings.
 3. Grant period runs from September 1, 2023 through September 30, 2025.
 4. Grantee must submit financial and programmatic reports every three (3) months before any payments are received. Reports must be submitted even if there have not been any activities during the quarter.
 5. The County may conduct programmatic and fiscal monitoring without advanced notification.
 6. Failure to submit quarterly reports on a timely basis may result in significant delays in reimbursement or denial of reimbursement.
 7. If the award request is different from the award received, a new budget must be submitted.
 8. If programs proposed in the approved Request for Strategic Plan are changed, amended or revised, a programmatic revision/modification request form must be submitted to the Essex County Office of Alcoholism, Drug Abuse and Addiction Services and approved in writing prior to the new program being implemented.
-

The above terms are acceptable, and we are willing to comply with them as set forth:
By our signatures, these conditions are made part of the grant.

Date: _____

SUSAN MCCARTNEY
MAYOR TOWNSHIP OF WEST
ORANGE

Date: _____

WILLIAM SULLIVAN, ESQ.
Municipal Alliance Chairperson

Appendix B

AFFIDAVIT

STATE OF NEW JERSEY

SS:

COUNTY OF ESSEX

The undersigned hereby certifies to the truth and accuracy of all statements, answers and data contained in this Strategic Plan, and hereby authorizes the County of Essex to make any necessary examination or inquiry in order to make a determination as to his qualifications and responsibility. The undersigned has examined all parts of the Strategic Plan and understands that it is completely discretionary with the County officials whether to accept, reject or negotiate its Strategic Plan submitted pursuant thereto.

**SUSAN MCCARTNEY
MAYOR TOWNSHIP OF WEST
ORANGE**

Sworn to Before Me This
____ day of _____, _____

Notary Public or Commissioner of Deeds

Appendix C

AFFIRMATIVE ACTION AFFIDAVIT

STATE OF NEW JERSEY

51 employees or more

SS:

COUNTY OF ESSEX

I, Susan McCartney, of full age, being duly sworn according to law, upon my oath, depose and say:

1. I am the employee and/or officer of the handling of the Township of West Orange (Proposer) in charge of the handling of this bid and/or grant and am fully familiar with the operations of Township of West Orange (Proposer) and also with the provisions of the New Jersey P.L. 1975, Chapter 127, approved June 23, 1975.

2. The Township of West Orange (Proposer) is in compliance with the provisions of the aforementioned P.L. 1975, Chapter 127, and the rules and regulations formulated pursuant to it relating to the filing of affirmative action programs with the New Jersey State Treasurer.

3. The Township of West Orange (Proposer) is aware that any failure to comply with P.L. 1975, Chapter 127, approved June 23, 1975, shall be a breach of grant and will make the Township of West Orange (Proposer) fail to comply.

SUSAN MCCARTNEY
MAYOR TOWNSHIP OF WEST ORANGE

Sworn and subscribed to before me this
_____ day of _____, _____

Notary Public

Appendix C

AFFIRMATIVE ACTION AFFIDAVIT

STATE OF NEW JERSEY

50 employees or less

SS:

COUNTY OF ESSEX

I, Susan McCartney, Mayor, of the (City, Township, Borough) of West Orange, in the County of Essex, State of New Jersey, of full age, being duly sworn according to law on my oath, depose and say that:

1. I am (president, partner, owner) of the firm of a bidder making a Strategic Plan upon the above-named project.

2. _____ does not have 50 employees or more inclusive of all officers and employees of every type.

3. I am familiar with the affirmative action requirements of P.L. 1975, Chapter 127 and rules and regulations issued by the Treasurer, State of New Jersey, pursuant thereto.

4. _____ as complies with all the affirmative action requirements of the State of New Jersey, including those required by P.L. 1975, Chapter 127 and of the rules and regulations issued by the Treasurer, State of New Jersey, pursuant thereto.

5. I am aware that if _____ does not comply with P.L. 1975 and rules and regulations issued pursuant thereto, that no monies will be paid by the State of New Jersey, County of Essex until an affirmative action plan is approved.

I am also aware that the grant may be terminated and the _____ (Proposer) may be debarred from all public contracts or grants, for a period of five (5) years.

**SUSAN MCCARTNEY
MAYOR TOWNSHIP OF WEST
ORANGE**

Subscribed and sworn to before me, this
_____ day of _____, 20____

Notary Public

Appendix D

**STATEMENT OF CERTAIN POLITICAL CONTRIBUTIONS
MADE AFTER NEGOTIATED CONTRACTS**

(This statement is part of the Application packet)

Ordinance Number 0-86-0007 adopted by the Board of Commissioners of the County of Essex requires that all Applications for negotiated contracts submitted by individuals and/or business entities seeking to provide goods to or to perform services for the County of Essex, shall contain a statement setting forth each political contribution by them of \$500.00, or made within five years next preceding the date of said contract or commencing _____, whichever period is less, either directly or indirectly to any County elected official, County political party and/or County official or political organization.

Name of County Elected Official, County Political Party and/or County Official or Political Organization to whom a political contribution of \$500.00 or more was made by proposer within five (5) years of the date hereof. **If none, write "none"**.

NAME

AMOUNT

Proposer _____

By _____
Signature

Print or Type Name of Signatory:

Susan McCartney, Mayor

Appendix E

RECOMMENDATION FOR APPROVAL

Pursuant to the Application evaluation process as outlined in this Strategic Plan, the following recommendations are made for appropriate final County approval:

County of Essex	Township of West Orange Name of Contractor
By: _____ Joseph N. DiVincenzo, Jr. County Executive or Representative	By: _____ MAYOR SUSAN MCCARTNEY
Approved:	
By: _____ Eileen Fishman Single County Alcoholism Authority	By: _____ John Gross, CFO
Recommended:	
By: _____ Essex County LACADA Chairperson	By: _____ William Sullivan, Esq. Municipal Alliance Chairperson

APPROVED AS TO FORM:

Jerome St. John,
County Counsel

This Municipal Alliance Grant is approved by the Board of Commissioners by Resolution on

Deborah Davis Ford, Clerk
Essex County Board of Commissioners

FORM 1A**DMHAS YOUTH LEADERSHIP GRANT - MUNICIPAL ALLIANCES**

Year One Grant Term: 9/1/23 – 9/30/25

APPLICANT MUNICIPALITY/IES: West Orange	COUNTY: Essex
ALLIANCE NAME: West Orange Municipal Alliance	ALLIANCE WEBSITE: westorange.org
ALLIANCE STREET ADDRESS: 66 Main Street TOWN: West Orange STATE: NJ ZIP: 07052	
TELEPHONE: (973) 325-4105 Ext.	FAX: (973) 325-9853
ALLIANCE CHAIRPERSON: William Sullivan, Esq. STREET ADDRESS: Scarinci Hollenbeck, 1100 Valley Brook Avenue, PO Box 790 TOWN: Lyndhurst STATE: NJ ZIP: 07071 EMAIL: wcsullivanjr13@gmail.com	ALLIANCE COORDINATOR: Laura A. Van Dyke, LCSW STREET ADDRESS: 66 Main Street TOWN: West Orange STATE: NJ ZIP: 07052 EMAIL: lvandyke@westorange.org
DATE OF RESOLUTION AUTHORIZING THE STRATEGIC PLAN (MM/DD/YYYY): 01 /24 / 2023	

DMHAS Grant Allocation

\$ 8,803.78**No Cash Match or In-Kind Match is required to accept DMHAS Grant.**

West Orange

Mayor Susan McCartney

*MUNICIPALITY_____
NAME/ MAYOR/Head of Governing Body_____
SIGNATURE

West Orange

Tammy Williams, Council President

*MUNICIPALITY_____
NAME/TITLE OF GOVERNING
BODY REPRESENTATIVE_____
SIGNATURE

William Sullivan, Esq.

ALLIANCE CHAIRPERSON_____
SIGNATURE_____
DATE

*** If a municipality is part of a consortium, a signature and resolution is required from all participating municipalities entering into the agreement. Signatures hereby accept all components of this grant including membership terms, Statement of Assurances and Fiscal Requirements.**

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) is preparing for a revaluation of commercial, residential and real property situated within the Township for 2025; and

WHEREAS, the Township requires the services of a licensed appraisal firm to perform the appraisal services, including the review of Class IV Proposed Valuations within the Township (“Revaluation Appraisal Services”); and

WHEREAS, pursuant to Resolution 77-23 adopted by the Township Council on March 21, 2023, Henricks Appraisal Company, LLC (“Hendricks”) with offices at Seven Hutton Avenue, West Orange, New Jersey 07052 was retained to provide general Appraisal Services under a professional services agreement; and

WHEREAS, the Township seeks to award an Agreement to Hendricks beyond its general Appraisal Services to provide Revaluation Appraisal Services; and

WHEREAS, on March 10, 2023, in response to a request from the Township, submitted a proposal to provide Revaluation Appraisal Services for a cost not to exceed of \$75,000; and

WHEREAS, the proposed Agreement, annexed hereto as Exhibit “A,” sets forth the proposed price as set forth in the Proposal submitted by Hendricks for a total contract price not to exceed \$75,000.

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Township authorizes the award and execution of the Agreement with Hendricks, annexed hereto as Exhibit “A;” and be it further

RESOLVED that a copy of this resolution shall be available in the Clerk's office in accordance with applicable law.

Karen Carnevale, Municipal Clerk

Tammy Williams, Council President

Adopted: May 16, 2023

I hereby certify funds are available from Account No. 01-2010-00-7101-200

John Gross, Chief Financial Officer

Exhibit “A”

Hendricks Appraisal Company, LLC

SEVEN HUTTON AVENUE, WEST ORANGE, NEW JERSEY 07052 • 973-736-5856-7 • FAX 973-736-2364



**REAL ESTATE
APPRAISALS
& RESEARCH**

JEFFREY R. HENDRICKS, CTA, SCGRE
MARK E. HENDRICKS, CRE, FRCS, CTA, SCGRE
ANITA M. HENDRICKS, SCGRE

NEW JERSEY STATE CERTIFIED
GENERAL REAL ESTATE APPRAISERS

ROBERT W. HENDRICKS, MAI, CRE, SCGRE
(1923-2000)

March 10, 2023

Mr. John O. Gross
Township Business Administrator/CFO
Township of West Orange
66 Main Street
West Orange, New Jersey 07052

***Re: Proposal For Appraisal Services
Revaluation Program-West Orange
Review of Class IV Proposed Valuations***

Dear Mr. Gross:

In accordance with your request, I am pleased to submit this proposal for revaluation review services.

The following shall constitute my understanding of the services to be rendered in connection with the review of individual Class IV valuations for the revaluation program.

- The revaluation firm shall fully cooperate with the review appraiser and shall timely provide the review appraiser with their individual analyses for each property to be reviewed and shall provide a summary of all developed sales and rental data derived from any and all Chapter 91 responses.
- The reviewer shall be provided with supporting documentation as to the development of the capitalization rate utilized by the revaluation firm. He shall also be provided with the estimated effective tax rate to be employed.
- The review appraiser shall make a visual exterior inspection of each property to be reviewed - (Class IV commercial, apartment, industrial).
- Should the review appraiser determine that a physical and complete inspection of a property is warranted, the client and/or the revaluation firm shall provide information as to an appropriate and responsible contact to arrange for such inspection.

Mr. John O. Gross
Township Business Administrator/CFO
Township of West Orange

- The review appraiser, in conjunction with the information provided by the revaluation firm shall make a determination as to the appropriate market rent(s) for each type of Class IV property and shall estimate appropriate vacancy, and expense for each based on information provided as well as information contained in his files. The review appraiser shall also develop an appropriate and market oriented capitalization rate in accordance with locally prevailing market and economic conditions and in compliance with generally accepted professional appraisal practice as well as acceptable appraisal practice before the Tax Court of New Jersey.
- The review shall include approximately 500 individual class IV reviews of existing properties.
- The reviewer shall accept the specific property information detailed by the revaluation firm, unless for reasons to be noted, the reviewer shall make corrections-revisions to the data and shall notify the revaluation firm as to the reason(s) for the change.
- The reviewer shall be provided with an excel work-sheet for each individual Class IV property prepared by the revaluation firm and shall prepare his own separate analysis utilizing the same format.
- The review shall be prepared in accordance with Standards Rule Three and Standards Rule Six of the Uniform Standards of Professional Appraisal Practice (USPAP) as it applies to appraisal review, development and reporting. However, as only the results of the revaluation firms' analysis are being reviewed, and not a complete appraisal report, full compliance with Standards Rule Three and Six may not be possible or even applicable. A review of the requirements of both Standards Rule Three and Standards Rule Six reveals no specific procedures or applications with regard to the review of a Mass Appraisal assignment (revaluation). Therefore, the reviewer shall attempt to adhere as closely as possible to the requirements of Standards Rules Three and Six.
- The municipal Tax Assessor shall be provided with an electronic copy of the reviewer's analyses for each property review. In addition, if requested, a hard-copy of the review report shall be provided to the client. The reviewer agrees to promptly correct and revise any errors which may subsequently be found. Once the reviewer's report has been accepted by the municipal Tax Assessor, and corrections-revisions have been completed, and upon submission of the invoice by the reviewer's firm, the total fee shall be paid by the municipality.

Mr. John O. Gross
Township Business Administrator/CFO
Township of West Orange

- Due to the type of services being provided, the fee for review of Class IV valuations shall be the sole and direct responsibility of the Township of West Orange and shall not be the responsibility of the revaluation firm.
- The reviewer agrees to comply with the time frame parameters which shall be established by the Essex County Board of Taxation for implementation of the revaluation program for the Township of West Orange.

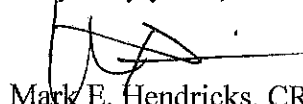
Based on the scope of services to be provided as indicated above and on the preceding pages, the fee for this assignment shall be:

Seventy-Five Thousand Dollars
(\$75,000.00)

The reviewer, upon request, shall provide evidence of required insurance certificates along with business registration forms and licenses upon request. This proposal shall remain in effect for a period of forty-five (45) days from March 10, 2023.

I appreciate the opportunity to submit this proposal. If you have any questions, or if I can be of further assistance, please do not hesitate to call.

Very truly yours,



Mark E. Hendricks, CRE, FRICS, CTA, SCGRE
~~New Jersey State Certified General Real Estate Appraiser~~
Hendricks Appraisal Company, LLC
Real Estate Appraisals, Research & Consulting

MEH:mm



QUALIFICATIONS

MARK E. HENDRICKS, CRE®, FRICS, CTA, SCGREA

Education: Mount Saint Mary's University – B.A. - 1981

Experience: Actively engaged in real estate valuation, counseling and advisory studies within the State of New Jersey since 1981. Appraisal, counseling and advisory assignments included the following: residential properties, subdivisions, multi-family condominium and townhouse development; commercial properties, retail centers, mixed-use properties, automobile dealerships, neighborhood shopping centers, regional shopping malls; office buildings, corporate campuses, corporate offices, leasing analysis and consulting; apartment properties of all types; industrial properties, warehouse, manufacturing, flex, distribution and terminals; vacant sites including residential, commercial, industrial, waterfront, quarry properties, green acres-open space, conservation and recreational lands; other assignments of a specialized nature include: corporate office-headquarters, power generation facilities; hospitals, schools, golf courses, telecom facilities, easements, partial interests, breweries and insurance loss analysis. These assignments were conducted for both public and private entities and individuals.

Mr. Hendricks is qualified as an expert witness before the Tax Court of New Jersey, the Superior Court of New Jersey, the United States Bankruptcy Court, Numerous County Boards of Taxation, along with local planning and zoning boards. He is also an approved State of New Jersey, Department of Environmental Protection, Green Acres Division, real estate appraiser.

- Professional Territory - Northern New Jersey - Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset, and Union Counties.
 - He has served as a Commissioner in Condemnation for the Superior Court of New Jersey.
 - Mr. Hendricks served as the municipal Tax Assessor for the Township of Nutley in 2004.
-
- He is has also been an active owner, investor, and manager in several multi-family, commercial and office properties.

Employment: 1981-1997 – Vice President
Robert W. Hendricks & Company, Inc.

1997-2019 - Principal & CEO
2020 - Present - President
The Hendricks Appraisal Company, LLC
Seven Hutton Avenue - Suite A
West Orange, New Jersey 07052
(973) 736-5656 – (973) 736-2364 (Facsimile)
email - mhendrickscre@gmail.com & mehnkh@aol.com



QUALIFICATIONS

MARK E. HENDRICKS, CRE®, FRICS, CTA, SCGREA

Affiliations:

Member - The Counselors of Real Estate – CRE®
Fellow Royal Institute of Chartered Surveyors - FRICS
Affiliate Member - Appraisal Institute
Member IAAO – International Association of Assessing Officers
Member IREM - Institute of Real Estate Management
New Jersey State Certified General Real Estate Appraiser (SCGREA - 42RG0923)
New Jersey State Certified Tax Assessor – CTA (#1591)

General Information:

Mr. Hendricks has conducted acquisition appraisals for various large scale eminent domain projects including: the New Jersey Performing Arts Center (NJPAC); Prudential Center Arena; Society Hill Development at University Heights; Essex County Correctional Facility; Honorable Joseph G. Minish Passaic River Waterfront Promenade; Science Park School Project. In addition to acquisition appraisals, he has served as the review appraiser in connection with other large scale developments including: the Riverfront Stadium facility; New Jersey Transit Light Rail Program; Newark Airport Monorail; various public school development and expansion projects. Other major redevelopment projects predominantly located within the City of Newark include the Home Depot; Victory Gardens development; South Ward Industrial Park; Hartz Mountain Industrial-Waverly Yards; Multiplex Cinema; Newark Entertainment Complex; Bergen Street Redevelopment project; and the Center City (Paterson) development.

Mr. Hendricks has been retained as the real estate appraisal expert and tax consultant for numerous municipalities including: Township of Belleville, Township of Bloomfield, Borough of Chatham, Township of Cedar Grove, Borough of Caldwell, City of Clifton, Township of East Hanover, City of East Orange, Township of Fairfield, Borough of Glen Ridge, Township of Little Falls, Township of Maplewood, Township of Montclair, City of Newark, Borough of New Providence, Borough of North Caldwell, Township of Nutley, City of Orange Township, Borough of Roseland, City of Summit, Township of Union, Township of Verona, Township of West Caldwell, Township of West Orange.

In addition to his appraisal, consulting and advisory experience, he has been retained by several communities to review and monitor the Class IV components (apartment-commercial-industrial) of municipal revaluation and reassessment programs. These include the Township of Belleville, Borough of Caldwell, City of East Orange, Borough of Glen Ridge, Township of Little Falls, Township of Montclair, Township of Nutley (2), the Borough of North Caldwell, Township of Fairfield, City of Paterson, Borough of Roseland, Township of Verona, Township of Cedar Grove, the Township of West Caldwell, and the Township of West Orange.

Tabulation of Municipal Clients

City of Newark

Mr. Aaron M. Wilson, Tax Assessor
City of Newark
920 Broad Street
Newark, New Jersey 07102
(973) 733-3952

Township of Belleville

Mr. Kevin Esposito, Tax Assessor
Township of Belleville
152 Washington Avenue
Belleville, New Jersey 07109
(973) - 450-3304

Borough of Caldwell

Mr. George Librizzi, Tax Assessor
Borough of Caldwell
1 Provost Square
Caldwell, New Jersey 07006
(973) 226-6349

Borough of Chatham

Ms. Therese DiPierro, Tax Assessor
Borough of Chatham
54 Fairmount Avenue
Chatham, New Jersey 07928
(973) 635-0674 (ext. 201)

Township of Cedar Grove

Mr. Richard Hamilton, Jr., Tax Assessor
Township of Cedar Grove
525 Pompton Avenue
Cedar Grove, New Jersey 07006
(973) 239-1410 – ext. 216

City of Clifton

Mr. Matthew S. Rinaldi, Tax Assessor
City of Clifton
900 Clifton Avenue
Clifton, New Jersey 07013
(973) 470-5838

City of East Orange

Ms. Tina Sakajani, Tax Assessor
City of East Orange
44 City Hall Plaza
East Orange, New Jersey 07019
(973) 266-5105

Tabulation of Municipal Clients

Township of Fairfield

Mr. Christopher Murray, Tax Assessor
Township of Fairfield
230 Fairfield Road
Fairfield, New Jersey 07006
(973) 882-2717

Borough of Florham Park

Mr. John Murray, Tax Assessor
Borough of Florham Park
111 Ridgedale Avenue
Florham Park, New Jersey 07932
(973) 410-5353

Borough of Glen Ridge

Mr. George Librizzi, Tax Assessor
Borough of Glen Ridge
825 Bloomfield Avenue
Glen Ridge, New Jersey 07028
(973) 748-8400 (ext. 249)

Township of Little Falls

Mr. John Bang, Esq., Tax Assessor
Township of Little Falls
225 Main Street
Little Falls, New Jersey 07424
(973) 256-0272

Township of Montclair

Mr. George F. Librizzi, Tax Assessor
Township of Montclair
205 Claremont Avenue
Montclair, New Jersey 07042
(973) 509-4920

Borough of North Caldwell

Mr. George Librizzi, Tax Assessor
Borough of North Caldwell
Gould Avenue
North Caldwell, New Jersey 07006
(973) 228-6417

Township of Nutley

Mr. Edmund Brown, Tax Assessor
Township of Nutley
1 Kennedy Drive
Nutley, New Jersey 07110
(973) 284-4956



**REAL ESTATE
APPRAISALS
& RESEARCH**

Tabulation of Municipal Clients

City of Orange Township

Mr. Christopher Murray, Tax Assessor
City of Orange Township
29 North Day Street
Orange, New Jersey 07050
(973) 266-4013

City of Summit

Mr. Timothy O'Connor, Tax Assessor
512 Springfield Avenue
Summit, New Jersey 07901
(908) 273-6405

Borough of Roseland

Mr. Kevin Esposito, Tax Assessor
Borough of Roseland
19 Harrison Avenue
Roseland, New Jersey 07068
(973) 403-6044

Borough of Verona

Mr. George F. Librizzi, Tax Assessor
800 Bloomfield Avenue
Verona, New Jersey 07044
(973) 857-4837

Township of West Caldwell

Mr. Richard Hamilton Jr., Tax Assessor
Township of West Caldwell
30 Clinton Road
West Caldwell, New Jersey 07006
(973) 226-2303

Township of West Orange

Mr. Kevin J. Dillon, Tax Assessor
Township of West Orange
66 Main Street
West Orange, New Jersey 07052
(973) 325-4060

PARTIAL LISTING OF CLIENTS SERVED & MAJOR ASSIGNMENTS

Government:	Financial:
U.S. Department of Commerce	Bank of America
U.S. Department of Justice	Blue Foundry Bank
U.S. Department of Veterans Affairs	Citibank
U.S. Post Office	TD Bank
U.S. Small Business Administration	PNC Bank
U.S. Department of the Interior	Regal Bank
Internal Revenue Service	Glen Rock Savings Bank
	Valley Bank
N.J. Office of the Attorney General	
N.J. Economic Development Authority	Attorneys:
N.J. Department of Environmental Protection	
N.J. Schools Development Authority	DeCotiis, Fitzpatrick, Cole & Gibbons, LLP
N.J. Housing & Mortgage Finance Agency	Lum, Drasco & Positan, LLC
	Connell Foley, LLP
Essex County Board of Chosen Freeholders	McManimon, Scotland & Bauman, LLC
Essex County Parks Commission	McElroy, Deutsch & Mulvaney
Essex County Office of the County Counsel	Scarinci & Hollenbeck, LLC
Essex County Improvement Authority	Riker, Danzig, Scherer, Hyland & Perretti, LLP
	O'Toole Scrivo
Borough of Alpine	DeFrancesco, Bateman, Kunzman, Davis Lehrer & Flaum
Township of Belleville	
Township of Bloomfield	Major Assignments:
Township of Cedar Grove	
Borough of Caldwell	New Jersey Performing Arts Center Site
Borough of Chatham	Prudential Center (NJ Devils Arena) Site
City of Clifton	Essex County Administration & Courts Complex
Township of East Hanover	Newark Riverfront Stadium
City of East Orange	N.J. Light Rail Project - Newark
Borough of Florham Park	Anheuser-Busch Brewery
Township of Fairfield	New Jersey Institute of Technology - Various Properties
City of Garfield	Prudential Offices - Newark & Roseland
Borough of Glen Ridge	PSE&G Corporate Headquarters
Township of Little Falls	Gateway Office Complex
Township of Maplewood	East Orange General Hospital
Township of Montclair	Kessler Institute - West Orange Complex
City of Newark	The Mall at Short Hills
Borough of New Providence	Livingston Mall
Borough of North Caldwell	Essex Fells Country Club
Township of Nutley	Essex County Country Club
City of Orange Township	Crestmont Country Club
City of Paterson	Montclair Golf Club
Borough of Roseland	Ridgewood Country Club
City of Summit	Rock Spring Country Club
Township of South Orange Village	White Beeches Country Club
Township of Union	Victory Gardens Redevelopment Site
Township of Verona	Society Hill Newark Site
Township of Washington	Home Depot - Newark Site
Township of West Caldwell	Home Depot - Paterson Site
Township of West Orange	Multiplex Cinema - Newark Site
	Essex County Correctional Facility - Newark Site



AGREEMENT FOR APPRAISAL SERVICES
FOR THE REVALUATION PROGRAM AND REVIEW
OF CLASS IV PROPOSED VALUATION FOR THE TOWNSHIP OF WEST ORANGE

THIS AGREEMENT, dated as of the 16th day of **May, 2023** between the Township of West Orange, a Municipal Corporation, in the County of Essex, and the State of New Jersey (hereinafter referred to as the "Township"), having its principal offices at 66 Main Street, West Orange, New Jersey; and **HENDRICKS APPRAISAL COMPANY, LLC.** (hereinafter referred to as the "Contractor"), having its principal offices at Seven Hutton Avenue, West Orange, New Jersey 07052.

WHEREAS, Contractor has been retained by the Township to provide appraisal services pursuant to Resolution 77-23 adopted by the Township Council on March 21, 2023; and

WHEREAS, on March 10, 2023, in response to a request from the Township, Contractor submitted a proposal for appraisal services as part of the Township Revaluation Program to provide review of Class IV Proposed Valuations ("Revaluation Appraisal Services"), annexed hereto as Exhibit "A," for a cost not to exceed of \$75,000.

WITNESSETH

1. The Contractor hereby covenants and agrees to furnish and deliver to the Township, Revaluation Appraisal Services consistent with the scope of services as set forth in the Contractor's Proposal submitted on March 10, 2023 (the "Proposal") for a not to exceed **\$75,000** as set forth in the Proposal.

2. The Contractor acknowledges that it has read N.J.S.A. 10:2-1, et. seq. (Discrimination in Employment on Public Works; contract Provision), the terms of which are incorporated herein as if expressly set forth at length, and the contractor agrees to comply with and be bound by the terms thereof.

3. Neither this Agreement nor the monies to become due hereunder are assignable.

4. The acceptance of payment by the Contractor shall constitute a release of any claims or liabilities of any nature whatsoever, if any, owing to the Contractor from the Township, its agents, servants and employees.

5. Contractor agrees to indemnify and hold harmless the Township, its agents, servants and employees from and against any and all losses, damage, liabilities, and expenses which may arise or be claimed against the Township, its agents, servants and employees, consequent upon or arising out of or in connection with the within Agreement.

6. This Agreement shall be governed and construed in accordance with the laws of the State of New Jersey, without regard to its conflict of law principles. Any claim shall be brought in the Superior Court of New Jersey, Essex Vicinage. Each of the Parties hereby irrevocably consents to the service of process of any of the aforementioned courts in any such action or proceeding by

the mailing of copies thereof to it by regular mail. Each of the Parties hereby irrevocably waives any objection that it may now or hereafter have to the laying of venue of any such claim, suit, proceeding, or action in such respective jurisdictions

7. This agreement is effective as of Township's adoption of an authorizing resolution by the Township's governing body.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, or caused these presents to be signed by their proper corporate officers, and caused these corporate seals to be affixed hereto.

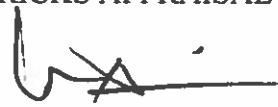
ATTEST:


Name: Anita M. Hendricks

ATTEST: _

KAREN CARNEVALE, R.M.C
TOWNSHIP CLERK

HENDRICKS APPRAISAL COMPANY, LLC



Name: MARK HENDRICKS

TOWNSHIP OF WEST ORANGE

BY: _____
MAYOR SUSAN McCARTNEY

RESOLUTION

WHEREAS, pursuant to Resolution 77-23 adopted by the Township Council of the Township of West Orange (the “Township”) on March 21, 2023, Henricks Appraisal Company, LLC (“Hendricks”) with offices at Seven Hutton Avenue, West Orange, New Jersey 07052 was retained to provide general Appraisal Services under a professional services agreement; and

WHEREAS, by letter dated April 20, 2023, the Township Open Space and Recreation Commission (the “Commission”) issued a letter to the Township Council seeking adoption of a resolution authorizing an appraisal for the Essex Equestrian Center located at 12-22 Woodland Avenue in West Orange (the “Equestrian Center”) for potential acquisition by the Township, annexed hereto as Exhibit “A,” and

WHEREAS, the letter reflects a unanimous vote of the Commission.

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Township authorizes the Township to utilize Hendricks pursuant to its professional services agreement with the Township to perform an appraisal of the Equestrian Center; and be it further

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

Karen Carnevale, Municipal Clerk

Tammy Williams, Council President

Adopted: May 16, 2023

I hereby certify funds are available from Account No. 01-2010-00-7101-200

John Gross, Chief Financial Officer

Exhibit “A”



Open Space and Recreation Commission

April 30, 2023

To: West Orange Township Council,

Town Council Members:

At the April 20, 2023 Open Space and Recreation Commission monthly meeting, the Commissioners voted 5-0 unanimously, to request the Township Council to approve a resolution to secure an appraisal of The Essex Equestrian Center. For the Council to even consider such an acquisition, this appraisal is part of the process required in evaluating the property for the Township to consider expending Open Space funds for the purchase.

The property located at 12-22 Woodland Avenue in West Orange, NJ consists of block 152.02 lots 176,179 and 186. The property is identified in The Open Space and Recreation Plan Updated November 11, 2019, as a property worthy of preservation. Its purchase will maintain community character and recreational opportunities for the Township. The Open Space Commission would like to preserve what we consider a historically significant site. The Essex Equestrian Center closed at the end of 2022. It was the only operating Equestrian Center operating in Essex County.

The Township has a willing seller – Verona resident Larry Hall. I have also spoken to outlying experienced Equestrian Center operators who have expressed interest in operating the Center here in West Orange. One such operator would be willing to actually invest in the property and run it as an Equestrian Center with a long-term 15-year contract in return. We believe this is equally beneficial to the operator and to West Orange taxpayers.

Such rental income would make up for the loss of \$103,203.00 in property taxes currently being paid. The property is zoned residential. Seeking an appraisal to start this process could potentially save it from being developed and if at the end of the lease a new operator cannot be found, an Open Space & Recreation funded site means West Orange would still have a new local park with the potential for indoor and outdoor revenue-generating recreational opportunities.

Thank You,
Joseph McCartney
Chair, West Orange Open Space and Recreation Commission

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 Wheeler Street Roadway and Sanitary Improvements Project; and

WHEREAS, at the date, time and place advertised for the opening of said bids, the Township did receive four 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 Wheeler Street Roadway and Sanitary Improvements Project be awarded to:

**REGGIO CONSTRUCTION INC.
416 E. CENTRAL BOULEVARD
PALISADES PARK, NEW JERSEY 07650**

in the amount of \$685,520.00. .

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.

BE IT FURTHER RESOLVED that the award is contingent upon the Federal clearance of the contractor by the Essex County Division of Housing and Community Development.

Karen Carnevale, Municipal Clerk

Tammy Williams, Council President

Adopted: May 16, 2023

I hereby certify funds are available from:

ACCOUNT NO. 2021 CDBG - \$201,000.00
Capital Budget - \$484,520.00

John Gross, Chief Financial Officer

SUMMARY OF BIDS

1.	Reggio Construction Inc. 416 E. Central Boulevard Palisades Park, NJ 07650	\$685,520.00
2.	The Shauger Group, Inc. 429 Dodd Street East Orange, NJ 07017	\$699,188.00
3.	Underground Utilities, Corp. 711 Commerce Road Linden, NJ 07036	\$804,577.00
4.	Colonnelli Brothers, Inc. 409 S. River Street Hackensack, NJ 07601	\$1,185,785.00

SUMMARY OF BIDS											
WHEELER STREET ROADWAY AND SANITARY IMPROVEMENTS											
PROJECT NO.				BIDS RECEIVED ON: May 9, 2023							
				1		2		3		4	
Awarded By Township of West Orange on: 5/16/2023				Reggio Construction, Inc. 416 East Central Avenue Palisades Park, N.J. 07650		Shauger Property Services, Inc. 429 Dodd Street East Orange, N.J. 07017		Underground Utilities, Corp. 711 Commerce Road Linden, N.J. 07036		Colonnelli Brothers, Inc. 409 So. River Street Hackensack, N.J. 07601	
				LOW BIDDER							
Item No.	Description of Items	Unit Measure	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization, the lump sum of	L.S.	1	10,000.00	\$10,000.00	\$12,000.00	\$12,000.00	\$30,000.00	\$30,000.00	\$125,000.00	\$125,000.00
2	Construction Layout, the lump sum of	L.S.	1	1,050.00	\$1,050.00	\$4,000.00	\$4,000.00	\$16,000.00	\$16,000.00	\$2,500.00	\$2,500.00
3	Inlet Filter-Type 2, per unit	UNITS	4	1.00	\$4.00	\$1.00	\$4.00	\$250.00	\$1,000.00	\$100.00	\$400.00
4A	Breakaway Barricdes, per unit	UNITS	25	1.00	\$25.00	\$1.00	\$25.00	\$1.00	\$25.00	\$1.00	\$25.00
4B	Drum, per unit	UNITS	200	1.00	\$200.00	\$1.00	\$25.00	\$1.00	\$200.00	\$1.00	\$200.00
4C	Traffic Cones, per unit	UNITS	200	1.00	\$200.00	\$1.00	\$200.00	\$1.00	\$200.00	\$1.00	\$200.00
4D	Construction Signs per sq. ft.	SF	200	1.00	\$200.00	\$1.00	\$200.00	\$1.00	\$200.00	\$1.00	\$200.00
4E	Traffic-Director Police, per allowance	ALLOWANCE	\$50,000.00	50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
5A	Fuel Price Adjustments, per allowance	ALLOWANCE	\$3,000.00	3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00
5B	Asphalt Price Adjustments, per allowance	ALLOWANCE	\$8,000.00	8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
6	Final Cleanup, the lump sum of	L.S.	1	3,000.00	\$3,000.00	\$6,000.00	\$6,000.00	\$10,000.00	\$10,000.00	\$7,500.00	\$7,500.00
7	Clearing Site, the lump sum of	L.S.	1	3,000.00	\$3,000.00	\$15,000.00	\$15,000.00	\$50,000.00	\$50,000.00	\$25,000.00	\$25,000.00
8A	Dense-Graded Aggregate Base Course, Driveway,4-in. Thick, per sq yard	SY	105	1.00	\$105.00	\$40.00	\$4,200.00	\$15.00	\$1,575.00	\$15.00	\$1,575.00
8B	Dense-Graded Aggregate, per ton	TON	50	1.00	\$50.00	\$150.00	\$7,500.00	\$50.00	\$2,500.00	\$35.00	\$1,750.00
9A	HMA Milling, Unclassified Depth,per sq. yd.	SY	1,678	14.00	\$23,492.00	\$8.00	\$13,424.00	\$9.00	\$15,102.00	\$20.00	\$33,560.00
9B	Hot-Mix Asphalt Surface Course, 9.5M64,per ton	TON	228	140.00	\$31,920.00	\$128.00	\$29,184.00	\$300.00	\$68,400.00	\$200.00	\$45,600.00
10A	6-in. - Dia High Density Polyethylene Perforated Pipe, Unclassified Depth, Behind Curb, per lin ft.	LF	50	50.00	\$2,500.00	\$400.00	\$20,000.00	\$75.00	\$3,750.00	\$145.00	\$7,250.00
10B	6-in-Dia High-Density Polyethylene Perforated Pipe, Unclassified Depth, Beneath Roadway, per lin ft.	LF	50	50.00	\$2,500.00	\$400.00	\$20,000.00	\$75.00	\$3,750.00	\$175.00	\$8,750.00
11A	Type D ECO N Casting with Bicycle-Safe Grates per unit	UNITS	4	900.00	\$3,600.00	\$2,000.00	\$8,000.00	\$1,200.00	\$4,800.00	\$2,000.00	\$8,000.00
11B	Manhole Frame and Cover, per unit	UNITS	10	700.00	\$7,000.00	\$1,200.00	\$12,000.00	\$1,000.00	\$10,000.00	\$2,500.00	\$25,000.00
11C	Parge Interior of Existing Inlet or Storm Manhole from Top of Floor to Bottom of Casting, per unit	UNITS	5	100.00	\$500.00	\$2,000.00	\$10,000.00	\$2,500.00	\$12,500.00	\$1,000.00	\$5,000.00
11D	Reconstruct Existing Inlet or Storm Manhole from Top of Floor to Bottom of Casing, per unit	UNITS	4	1,200.00	\$4,800.00	\$3,000.00	\$12,000.00	\$3,000.00	\$12,000.00	\$1,500.00	\$6,000.00
11E	Construct New Storm Drain Inlet or Manhole per unit	UNIT	1	3,500.00	\$3,500.00	\$8,000.00	\$8,000.00	\$7,500.00	\$7,500.00	\$5,000.00	\$5,000.00
11F	Set or Reset Manhole Frame or Catch Basin Casting, per unit	UNIT	10	250.00	\$2,500.00	\$500.00	\$5,000.00	\$750.00	\$7,500.00	\$500.00	\$5,000.00
12A	Concrete Sidewalk,Reinforced 4-in. Thick, per sq. yd.	S.Y.	169	72.00	\$12,168.00	\$100.00	\$16,900.00	\$130.00	\$21,970.00	\$110.00	\$18,590.00
12B	Concrete Sidewlk/Apron Reinforced, 6-in.Thick per sq. yd.	S.Y.	146	81.00	\$11,826.00	\$100.00	\$14,600.00	\$150.00	\$21,900.00	\$145.00	\$21,170.00
12C	Hot-Mix Asphalt Driveway Surface Course 9.5M64 2-in Thick, per sq yd.	S.Y.	105	36.00	\$3,780.00	\$55.00	\$5,775.00	\$65.00	\$6,825.00	\$100.00	\$10,500.00
12D	Reset Paver/State Driveway or Walkway,	S.Y.	2	1.00	\$2.00	\$100.00	\$200.00	\$200.00	\$400.00	\$500.00	\$1,000.00
13A	Granite (Beligian Block) Curb, per lin ft.	LF	859	35.00	\$30,065.00	\$51.00	\$43,809.00	\$40.00	\$34,360.00	\$55.00	\$47,245.00
13B	Concrete Curb, per lin ft.	LF	231	35.00	\$8,085.00	\$70.00	\$16,170.00	\$40.00	\$9,240.00	\$60.00	\$13,860.00
14	Traffic Stripes, per lin ft.	LF	246	5.00	\$1,230.00	\$7.00	\$1,722.00	\$5.00	\$1,230.00	\$10.00	\$2,460.00
15A	Regulatory and Warning Signs, (Up to 12" x 18") per unit	UNITS	5	1.00	\$5.00	\$300.00	\$1,500.00	\$400.00	\$2,000.00	\$750.00	\$3,750.00
15B	Regulatory and Warning Signs (Greater than 12" x 18" and up to 30" x 30") per unit	UNITS	10	1.00	\$10.00	\$400.00	\$4,000.00	\$500.00	\$5,000.00	\$750.00	\$7,500.00
16	Reset Existing Water Main and Gas Valve Boxes, per unit	UNITS	7	1.00	\$7.00	\$550.00	\$3,850.00	\$300.00	\$2,100.00	\$150.00	\$1,050.00
17A	12-in-Dia. PVC Pipe, Unclassified Depth, per lin ft.	LF	143	300.00	\$42,900.00	\$280.00	\$40,040.00	\$250.00	\$35,750.00	\$450.00	\$64,350.00
17B	24-in-Dia. PVC Pipe, Unclassified Depth, per lin ft.	LF	691	456.00	\$315,096.00	\$335.00	\$231,485.00	\$400.00	\$276,400.00	\$800.00	\$552,800.00
17C	Construct New Sanitary Sewer Manhole per unit	UNITS	4	15,000.00	\$60,000.00	\$8,000.00	\$32,000.00	\$10,000.00	\$40,000.00	\$15,000.00	\$60,000.00
17D	Construct New Sanitary Cleanoup, per unit	UNITS	14	2,800.00	\$39,200.00	\$2,800.00	\$39,200.00	\$2,100.00	\$29,400.00	\$500.00	\$7,000.00
	BASE BID TOTALS				Bid Amount	\$2,800.00	Bid Amount		Bid Amount		Bid Amount
					\$685,520.00		\$699,188.00		\$804,577.00		\$1,185,785.00
	TOTALS			Bid Bond 10%	Bid Bond 10%		Bid Bond 10%	Bid Bond 10%			

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>Type of Event/Date</u>	<u>Place</u>	<u>RL No.</u>
W.O. High School Music Boosters	June 4, 2023 On Premise 50/50	350 Pleasant Valley Way	7829
PTA Hazel Avenue School	June 3, 2023 On Premise 50/50	45 Hazel Avenue.	7830

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

Tammy Williams
Council President

Adopted: May 16, 2023

RESOLUTION

**TO AUTHORIZE THE PURCHASE OF ELECTRONIC MANAGEMENT
HARDWARE/SOFTWARE THROUGH THE NJ COOPERATIVE PURCHASING ALLIANCE**

WHEREAS, the Township of West Orange (Township), in an effort to increase efficiencies and more effective communication within Township departments and the general public, the Township is seeking to move to an updated electronic management system; and

WHEREAS, the successful implementation of the upgrade of the electronic management system will enable the Township employees to access via desktop and mobile tools and provide the public to access to an easy-to-use online system platform; and

WHEREAS, the new software will enable the Township to access and update our database in real-time, provide users access to all data anywhere, as well as enhanced functionality like advanced analytics and reporting; and

WHEREAS, the new software enables the Township to advance our G.I.S. capabilities to visualize all parcel data, permits, complaints, inspections, etc., via a geographical interface; and

WHEREAS, the new software enables Township officials to complete inspections, issue stop-work orders or violation notices, take photos or access Township data in the field; and

WHEREAS, the new software allows the Township to extend information from the database to a public portal, thereby reducing foot traffic and telephone calls with departmental offices; and

WHEREAS, the software enables the Township to accept from the public permit applications, pay portals, tracking status features, etc., via an online account connect module; and

WHEREAS, the vendor will include preloading the Townships historical data prior to implementation, including parcel data, fees schedules, mapping integration and zones, configured forms, and assist with creating forms and reports; and

WHEREAS, as a local government unit and a member of the New Jersey Cooperative Alliance of the County of Bergen, can purchase such items, pursuant to the provision made in the Local Public Contracts Law N.J.S.A. 40A:11-5(2), without public advertising for such goods or services, through contracts already secured by the United States of America, the State of New Jersey, County or Municipality thereof; and

WHEREAS, the vendor SHI International Corp holds the contract for I.C.C. Community Development Solutions dba Muncity Integrated Parcel Management SaaS,

located at 290 Davidson Avenue Somerset, NJ 08873, is under contract # CK04 Subcontract 22-24 available for the amount not to exceed \$131,857.21 (see Exhibit A).

WHEREAS, the West Orange Health Department received a grant from the New Jersey Association of County and City Health Officials (N.J.A.C.C.H.O.), of which \$28,866.00 is dedicated toward purchasing Health Department software; and

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of West Orange who hereby authorizes the Purchasing Agent, on behalf of the Township, to issue and execute a Purchase Order for not to exceed \$131,857.21 to SHI International Corp with funds certified available by the Chief Financial Officer.

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

Tammy Williams
Council President

Adopted: May 16, 2023

I hereby certify funds available: Account No. _____

John O. Gross, Chief Financial Officer/BA



Pricing Proposal
Quotation #: 23397020
Created On: 4/26/2023
Valid Until: 5/18/2023

NJ-Township of West Orange

Peter F. Smeraldo, Jr.

66 Main Street
West Orange, NJ 07052
United States
Phone: (973) 325-4107
Fax:
Email: psmeraldo@westorange.org

Inside Account Executive

Nikitah Shah

290 Davidson Ave
Somerset, NJ 08873
Phone: 732-652-7647
Fax:
Email: nikitah_shah@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 Annual Municipality5 Site Subscription ICC Community Development Solutions - Part#: NPN-ICC-SITES-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$5,115.79	\$5,115.79
2 Annual Municipality5 Mobile Subscription ICC Community Development Solutions - Part#: NPN-ICC-MOBIL-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$4,000.00	\$4,000.00
3 Annual Maintenance for Integrations ICC Community Development Solutions - Part#: NPN-ICC-MAINT-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$1,894.74	\$1,894.74
4 Municipality 5 POW Implementation (set-up, configuration, templating, printouts etc.) ICC Community Development Solutions - Part#: NPN-ICC-IMPLE-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$55,434.78	\$55,434.78
5 GIS-based Parcel Updater Integration Set-up and Configuration ICC Community Development Solutions - Part#: NPN-ICC-GISBA-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$1,630.43	\$1,630.43
6 Municipality 5 Training (Remote – 3.5 days, On-Site – up to 5 days**) ICC Community Development Solutions - Part#: NPN-ICC-TRAIN-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$8,804.35	\$8,804.35

7	Data Migrations: Mitchell Humphrey (up to 40 hours) ICC Community Development Solutions - Part#: NPN-ICC-DATAM-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$6,521.74	\$6,521.74
8	Integrations: (TBD) Payment Processor Set-up and Configuration ICC Community Development Solutions - Part#: NPN-ICC-PAYME-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$760.87	\$760.87
9	Local Municipal Code Import – eCode360® ICC Community Development Solutions - Part#: NPN-ICC-LOCAL-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$1,630.43	\$1,630.43
10	Development to meet specific Fee ICC Community Development Solutions - Part#: NPN-ICC-DEVEL-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$13,804.35	\$13,804.35
11	Configure stockpiles within Work Order & Maintenance program of work to track inventory and transactions with reporting to accomplish Cashiering ICC Community Development Solutions - Part#: NPN-ICC-CONFI-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$3,804.35	\$3,804.35
12	Annual Connect Subscription ICC Community Development Solutions - Part#: NPN-ICC-CONNE-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$2,368.42	\$2,368.42
13	Municipality Connect Implementation & Training (Remote Training Only) [one-time set-up for building database, process configuration, & training] ICC Community Development Solutions - Part#: NPN-ICC-CIMPL-A Contract Name: New Jersey Cooperative Purchasing Alliance Contract #: CK04 Subcontract #: 22-24	1	\$26,086.96	\$26,086.96
			Total	\$131,857.21

Additional Comments

Note: The New Jersey Cooperative Purchasing Alliance is a Service of the County of Bergen, County Executive James J. Tedesco III and the Board of Commissioners

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Please note, if Emergency Connectivity Funds (ECF) will be used to pay for all or part of this quote, please let us know as we will need to ensure compliance with the funding program.

Thank you for choosing SHI International Corp! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order.

SHI International Corp. is 100% Minority Owned, Woman Owned Business.
TAX ID# 22-3009648; DUNS# 61-1429481; CCR# 61-243957G; CAGE 1HTF0

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.

Township of West Orange

Essex County

Proposal for Municipity™ Integrated Parcel Management SaaS

May 5, 2023

Valid for 3 months



Suzanne Owens
Solutions Account Executive
585-402-8667
SOwens@icc-cds.com



COMMUNITY
DEVELOPMENT
SOLUTIONS

Formerly General Code CMS LLC

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CUSTOMER NEEDS AND REQUIREMENTS

In an effort to increase efficiencies and create more communication across Township departments, West Orange is wishing to utilize Muncity 5 and its offerings to move to an updated electronic management system, benefitting not only the Township team via the Desktop & Mobile tools, but also by adding an easy-to-use online system for the constituency through Muncity Connect. Details of the project are listed below:

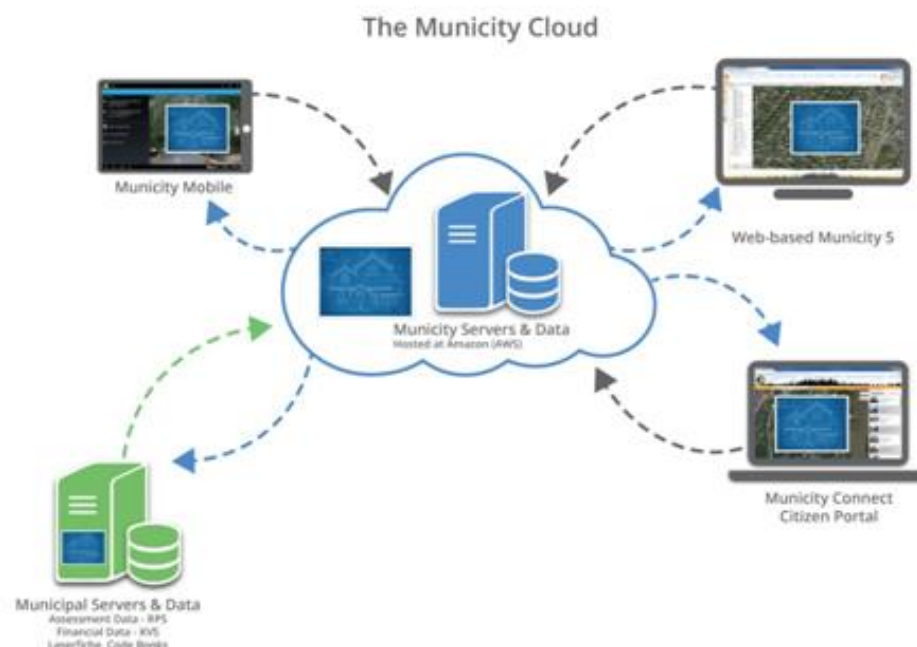
- Summation of the key project data:
 - Which programs of work apply to this situation based on the need's assessment
 - Applications to Certificate
 - Code Enforcement
 - Planning and Zoning Applications
 - Periodic Inspections
 - Assets and Inspections
 - Work Orders and Maintenance
 - License Application/Renewal Management
 - Muncity Connect (*specific POW to Connect listed below*)
 - Application Submit/Pay
 - Inspection Requests
 - Issue/Complaint Reporting
 - License Application Submit/Pay
 - How many departments are involved and which ones?
 - Building, Planning & Zoning, Health, Clerk, Finance, and DPW
 - How many in-office users will be on the system and how many mobile users will be required?
 - (unlimited) Desktop Users
 - (up to 20) Mobile Users – *Please Note: any mobile users added after 20 users will be subject to a Change Order at an annual maintenance fee of \$200 per user.*
 - Is there legacy data that needs to be converted and imported into Muncity 5?
 - Mitchell Humphrey legacy system
 - FRA Health Data (Access Database) – to be scoped and quoted.
 - MuniDex Financial Data (FoxPro Platform) – to be scoped and quoted.
 - Does the Township have digital Local Municipal Code they would like to import?
 - eCode360®

MUNICIPITY PRODUCT OVERVIEW

THE MUNICIPIY SUITE

The Municipity Suite is a set of hosted software products that work together to provide your municipality with the best functionality that serves the needs of each user and usage environment. At the core of the system is a Microsoft SQL database that contains all your municipal data – parcels, owners, building permits, violations, variances, fees, etc. All of the modules of Municipity access and update this database in real-time so there is no synchronizing required or lag time between activities. **Municipity 5** is the web-based interface for Municipity which provides users access to all Municipity data anywhere with an Internet connection, as well as some enhanced functionality like advanced analytics and reporting. Municipity 5 also includes advanced GIS capabilities that enable you to visualize all your parcel data, permits, complaints, inspections, etc. via a geographical (map) interface. **Municipity Mobile** combines the ease of use of a tablet or smart phone with the power and functionality of Municipity. Users can complete inspections, issues stop work order or violations, take photos, or just access any Municipity data necessary to be as productive as possible in the field. Finally, the **Municipity Connect** module allows the municipality to extend the information from the Municipity database to a public website, reducing calls and foot traffic into the office. Optionally the **Municipity Connect** module can be utilized to accept on-line permit application and issue reporting, allowing users, via a log-in, to track the status of their applications and permits.

ICC Community Development Solutions staff will preload the data information provided by the Township into the Municipity software. This includes parcel data, fee schedules, mapping integration, zones, and historical data conversion (permits, complaints, etc. – this may be quoted separately depending upon the volume of data). The included standard forms and reports will be updated to include your municipality's logos and standard text. Configured forms and reports can be created at an additional cost.



STAGE 1 – MUNICIPALITY 5 IMPLEMENTATION

MUNICIPALITY 5 – WEB BASED MUNICIPALITY:

Parcel Information - Search for parcels by owner, address, parcel number and then view all parcel assessment information, including owner, owner's address, zoning, property class, acreage, etc. Municipality captures full property history, including ownership changes and historical ownership information.

Contact Management – Fully integrated contact manager allows you to track all your contact information, including contractor insurance, worker's comp. and basic licensing.

Permitting - The permitting module of Municipality allows users to track all activities on a permit including permit type, status, construction cost, contractors, inspections, fees, and tasks. The permit editor is extremely flexible and can be configured by the users to display the information they require and arrange it in the order they find most convenient.

Permit Wizard for: 563 06 125 Editors

Type: RENOVATION - INTERIOR Status: PENDING Permit Number:

Application Date: 12/18/2017 Permit Date: Permit Date Expiration Date: 12/17/2018 Assigned To: Assigned To

Group #: Group # Construction Cost: 10000 Square Footage: Square Footage Residential/Commercial: Residential

Description:
Kitchen rehab. New sink, counter tops, fixtures. New line for gas stove.

Owner / Tenant / Applicant Add Contact

Fullname	Role	Phone	Email	Applicant	Delete
William J Mathews	OWNER			☐	X
Dale Cooper	Contractor			☒	X

Add Fees? Yes No

Add Fee Bulk Pay Fees

Fee Type	Description	Amount	Paid	Date Paid	Pay Type	Check #	
1 State Fee	1%	25	☒	12/18/2017			X
Alter / Remod...	820-0300-48181	25000	☒	12/18/2017			X

Total Due: \$25,025.00 Total Paid: \$25,025.00

Add Inspections? Yes No

Add Inspection Edit Inspection Types

Inspection Type	Sch Date	Start Time	All Day	Inspector	
ROUGH-IN			☐		X
ELECTRICAL ROUGH			☐		X
PLUMBING ROUGH			☐		X

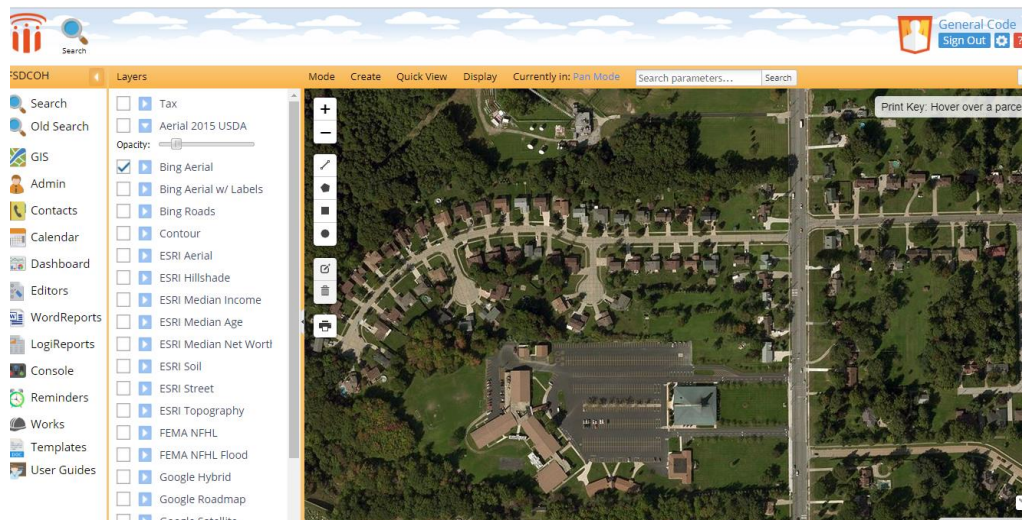
Municipality 5 – Permit Creation Wizard

Permit Inspections – Full tracking and scheduling of inspections, including checklists, documents and pictures. Pre-defined inspection templates can be created for each permit-type to ensure all inspections are completed before a permit is closed.

Permit Fees – Track all fees related to each building permit.

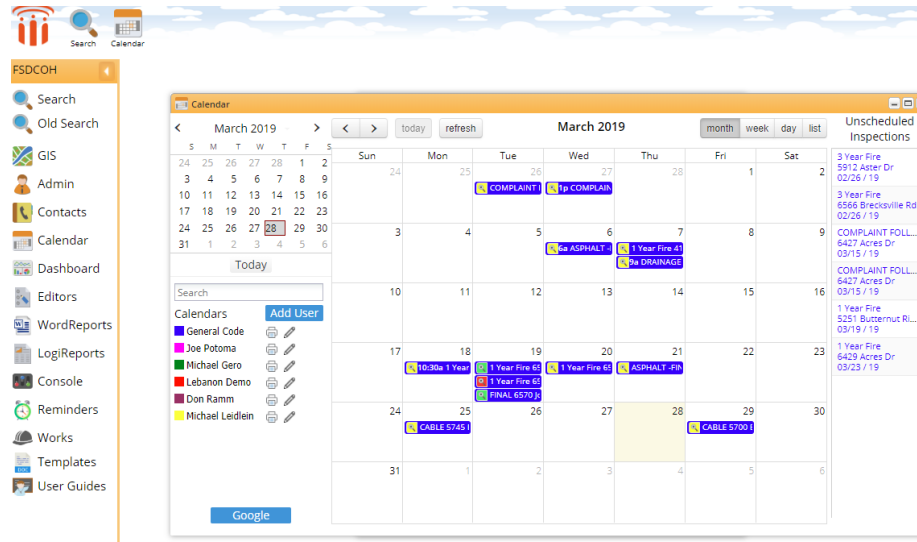
Permit Tasks– Assign tasks/prerequisites that have to be completed prior to permit issuance. Create tasks based on templates and automatically assign them to the responsible parties. Get notification when tasks are completed.

GIS – The GIS capabilities in Muncity 5 enable the visualization of all of your Muncity data via a geographic interface. Muncity GIS utilizes geospatial layer data from a variety of sources (the municipality, the County, the State and even some generally available layers from the federal government).

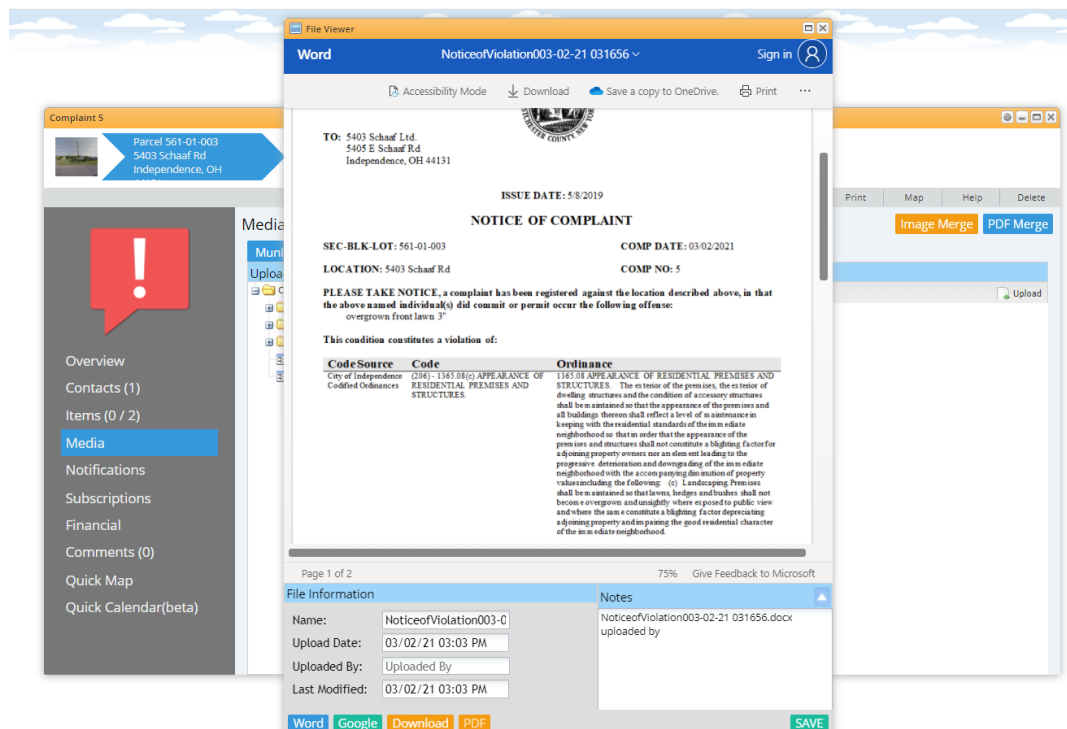


Workflow – Configure your permit/application workflow to your liking. Permit Templates allow users to define processes (reviews, inspections, fees, etc.) based on permit type.

Appointment Calendar – Appointment Calendar for scheduling of inspections. With appropriate user rights you can view multiple inspectors from one calendar and re-assign or re-schedule inspections. Completing inspections from the calendar automatically completes the inspections on the associated permit.



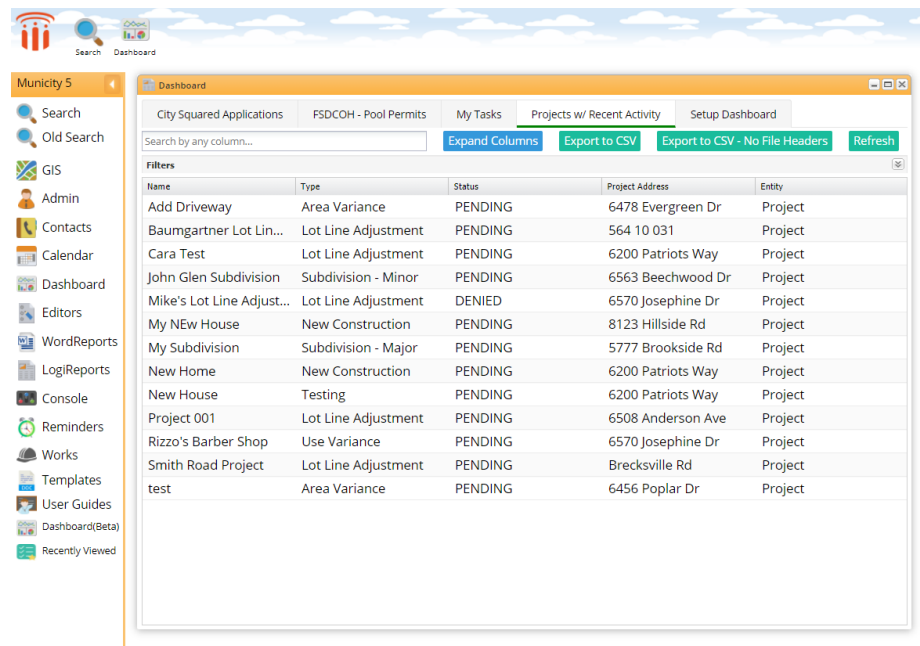
Code Enforcement - Track all complaint activity including issuance of violations based on the municipal code, state building code or fire code. Create summonses, track court appearances, levy fines, and attach pictures and documents. Create documents such as notice of violation, accusatory, affidavits of service.



Municipity 5 Complaint – Notice Printout

Media – Attach any electronic files to your parcels, permits, inspections or complaints. Upload pictures, documents, PDF files, and videos and then rearrange into subdirectories. Print or email the files. View all pictures in a slideshow, add notes, or download to your computer.

Dashboard / Analytics - View all the latest activities of your department, such as applications submitted, permits issued, complaints issued, inspections completed, tasks assigned, etc. Configure the dashboard to your preferences by choosing from a variety of graphs and data views.



Name	Type	Status	Project Address	Entity
Add Driveway	Area Variance	PENDING	6478 Evergreen Dr	Project
Baumgartner Lot Lin...	Lot Line Adjustment	PENDING	564 10 031	Project
Cara Test	Lot Line Adjustment	PENDING	6200 Patriots Way	Project
John Glen Subdivision	Subdivision - Minor	PENDING	6563 Beechwood Dr	Project
Mike's Lot Line Adjust...	Lot Line Adjustment	DENIED	6570 Josephine Dr	Project
My NEW House	New Construction	PENDING	8123 Hillside Rd	Project
My Subdivision	Subdivision - Major	PENDING	5777 Brookside Rd	Project
New Home	New Construction	PENDING	6200 Patriots Way	Project
New House	Testing	PENDING	6200 Patriots Way	Project
Project 001	Lot Line Adjustment	PENDING	6508 Anderson Ave	Project
Rizzo's Barber Shop	Use Variance	PENDING	6570 Josephine Dr	Project
Smith Road Project	Lot Line Adjustment	PENDING	Brecksville Rd	Project
test	Area Variance	PENDING	6456 Poplar Dr	Project

Municipality 5 - Dashboard

Print Outs – Municipality 5 is delivered with several standard printouts. These documents include:

- Parcel Information / History / Title Search.
- Permits.
- Approval / Denial Letters.
- Certificates (CO, CC, Temporary CO).
- Inspection Results (Passed / Failed Letter).
- Daily Inspection Schedule.
- Complaint Notice.
- Accusatory / Affidavit.
- Summons / Appearance Ticket

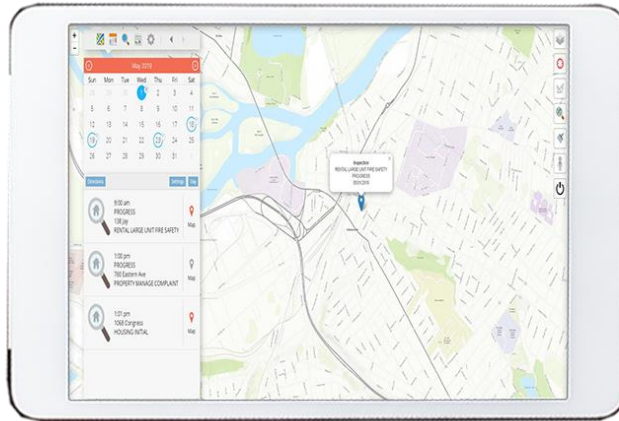
Reports – Municipality 5 comes standard with the following reports:

- Applications Submitted
- Permits Issued
- Permits Issued w/ Cost of Construction
- Expired Permits
- Certificates (COs/CCs) Issued
- Temporary COs Issued
- Complaints / Violations Issued
- Open Complaints / Violations
- Resolved Complaints / Violations
- Inspections Completed
- Overdue Inspections
- Fees Collected
- Unpaid Fees
- Ad hoc reporting

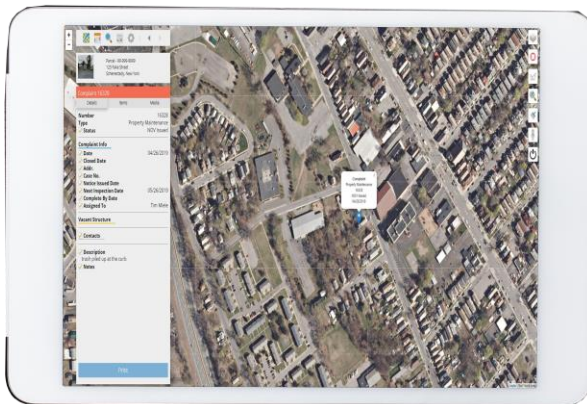
Additional custom reports available for an additional fee.

MUNICIPITY MOBILE:

The Muncity Mobile application allows users to interact directly with the Muncity database via most Android, iOS, and Windows-enabled devices. There is no need to synchronize once you get back to the office – you are working with live data. Google Chrome is the preferred browser.



Functions



- Create Complaints, Appointments, Violations, and more.
- Schedule and complete inspections.
- View your inspections schedule in a list or calendar view.
- Pull up information on any parcel in your municipality.
- Map Assets and Work Orders

- Search for items and parcels in the database using the advanced search option.
- Search items can be projected on the map and color-coded based on status.



MUNICIPITY 5 PROGRAMS OF WORK

Municipality provides a variety of functionality to streamline and automate important aspects of the Building, Planning and Zoning functions within a municipal government. The Programs of Work can apply to one department, or it can be spread across multiple departments depending on how the government operation is structured. Following are each of the current Programs of Work within Municipality 5 along with descriptions and the processes supported in each of the POW's.

Programs of Work	Description	Processes Within Program Of Work
Application to Certificate	To identify, approve, track, and monitor building changes/enhancements to parcels/structures in the Municipality. Receiving applications and processing them through to approval, generating permits, completing inspections, and issuing certificates	• Processing Permit Application • Application Review Tasks • Tracking Application Fees Inspection and Re-inspection for Permitted Work and Closing of a Permit • Certificate Issuance • Mobile application (Inspections) <i>[if mobile is included]</i>
Planning and Zoning Applications	To identify, approve, track, and monitor planning and zoning changes/enhancements to parcels in the Municipality Receiving applications for planning and Zoning related items such as variances or subdivision and processing them through to approval. As well as tracking related meetings, tasks, escrow, and bond accounts	• Processing Application • Application Approval Tasks and Meetings • Tracking Application Fees • Tracking Project Escrow and Bond Accounts
Periodic Inspections	To identify areas of public assembly and certify compliance with all Municipal & state codes To track Inspections that have to be done on a scheduled basis for public safety, fire safety or health	• Tracking of Periodic Inspections on Parcels/Occupants • Detailed Inspection Checklists with relation to Ordinances • Printouts detailing checklist items and ordinance pass/failure

		• Dashboards to track inspections • Bulk Reminder Letters for upcoming inspections • Tracking of inspection related fees
Code Enforcement	To identify violations, issue tickets and prescribe reparations (fees & timeframe for compliance)	• Identifying and Verifying Code Violation • Issuing Notice of Violation/Order to Remedy • Tracking Inspections for violations • Ticketing and Court Process for Outstanding Violation
Assets and Inspections	Tracking assets such as signs, fire hydrants, park benches, and inspections related to the assets	• Creating Assets and setting up recurring Inspections for Assets • Tracking Data fields for Assets • Detailed Inspection Checklists • Printouts detailing checklist items pass/failure • Dashboards to track Assets • Bulk Reminder Letters for upcoming inspections • Tracking of inspection related fees • Mobile application <i>[if mobile is included]</i>

Work Orders and Maintenance	Functionality to create, assign and track Work Orders and/or Maintenance items on various parent entities	• Creating, assigning, and tracking one off Work Order Items • Tracking stockpiles of time and material used for Work Order Completion • Setting up Recurring Maintenance items for third parties • Dashboards to track Work Orders and Maintenance • Bulk Reminder Letters for upcoming maintenance items • Tracking of related fees • Mobile application <i>[if mobile is included]</i>
Licensing Management	Track and manage professional contractor licensing and/or Workman's Compensation Insurance -- including renewals, validation, and applications. This also includes Clerk managed licensing options, such as Dog/Cat, Liquor, Game of Chance, etc.	• Receiving license applications • Issuing licenses • Processing license renewals • Approval reviews • Bulk letter generation of license expirations • Fee tracking related to licensing

Connect	Public Facing Portal - Citizens can apply for permits, request inspections, grab mailing list for abutter notices and more Recommendations of appropriate programs of work, integrations and any other general recommendations should be noted at this point.	• Online permit applications • Inspection requests • Review personal inspection status • Review personal inspection history • Receive complaints • Receive requests for new licenses (not renewals) • Vacancy and landlord registrations
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PROGRAMS OF WORK NOT INCLUDED IN THE PROJECT*

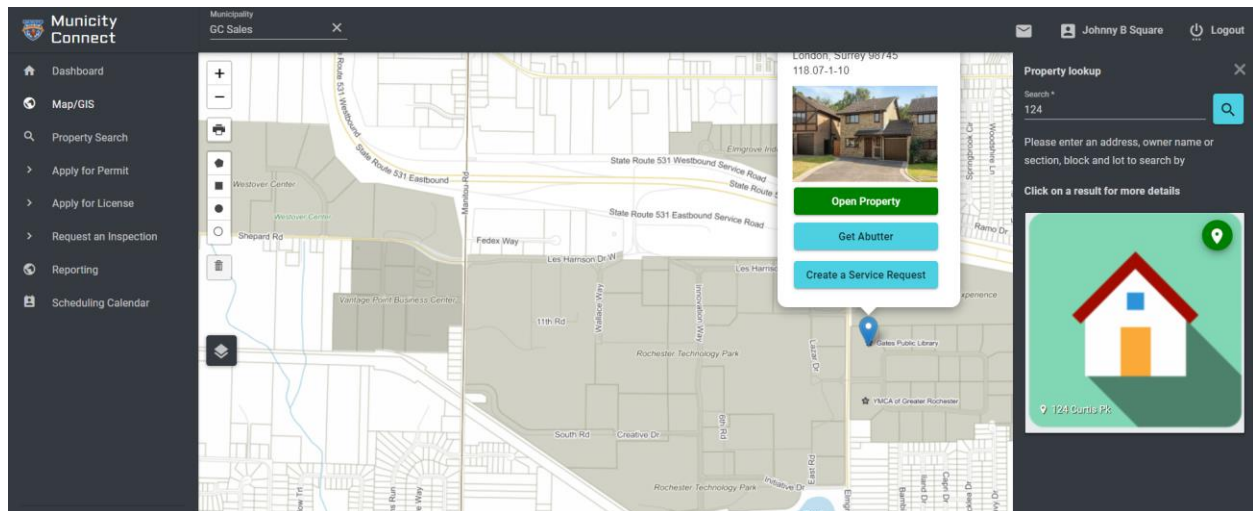
**POW not included can be added at a later date via Municipality Change Order form.*

Vacancy and Landlord/Rental Registration	To identify, track, & monitor vacant properties in the Municipality. To identify, register, and monitor Rental Properties in the Municipality To identify rental units in the Municipality and certify compliance with all Municipal and state codes	• Identification, Verification and Notification of Vacant or Abandoned Properties • Activity to Resolve Vacancy Identified on a Property Application, • Verification and Registration of Property and Landlord • Detailed inspection Checklists items related to Ordinance codes that allow inspector to indicate exact area of rental property that failed a checklist item • Separate entities to track easier – allows creation of occupants, tenants, etc. • Track fees related to vacancies and rentals
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STAGE 2 – MUNICIPALITY CONNECT IMPLEMENTATION

MUNICIPALITY CONNECT:

Municipality Connect module makes available to the public via the Internet information relating to the parcels, permits, inspections, complaints, variances, planning projects, etc. Optionally, web users can submit applications for a new permit, lodge a complaint or request an inspection.



Municipality Connect – Parcel Selection

Some Features of Municipality Connect:

- View all Parcel Information through a web browser (content determined by the municipality).
- Apply for Permits On-Line.*
- Upload documents.
- Pay fees.
- Track status of an application through the review process.
- View status of permits (inspection progress).
- File a complaint.
- Request an inspection.
- Apply for a license.
- Apply for a registration.
- Apply a title search.
- User specific dashboard.

** Note: check and credit card fees may apply. If interested in utilizing this feature, ICC Community Development Solutions will provide an additional proposal.*

MUNICIPITY CONNECT PROGRAMS OF WORK

Programs of Work	Description	Processes Within Program of Work
Application Submit/Pay	Allows the Public to submit application request, check the status of the application, and pay fees related to the application ¹ . They can also track the status of their permit and its related Inspections and once all work and inspections are completed apply for a certificate.	• Public application submittal • Online Fee Payments¹ • Public Tracking application approval tasks • Public ability to print documents • Public View Inspection Status • Public Apply for Certificates • Internal Dashboards to track and approve submitted applications and payments • Base Documents that can be sent to the Public
Inspection Requests	The Public can track inspections they need to complete and request time slots to schedule inspections once they are ready. The municipality can then review all requests and confirm times.	• Public Inspection Time Slot Requests • Internal ability to set timeslots based off inspection types or departments • Internal ability to block off particular days • Internal Dashboards and other tools to track inspection requests

¹ Requires that the Municipality have a contract with an Integrated Payment Processor. These Contracts and any associated fees are the sole responsibility of the customer. Please contact Sales rep for most recent list of integrated processors or to request a quote to build an integration

		Base Documents that can be sent to the Public
Issue/Complaint Reporting	The Public can submit issues with descriptions and images for the Municipality to review and determine next steps.	- Public Issue Submittals - Internal Dashboards to review Submittals and convert them to Work Orders or Complaints for follow-up - Base Documents that can be sent to the Public
License Application Submit/Pay	The public can submit requests for new licenses, provide documentation and pay fees related to these new requests or renewal fees once they have been created by the municipality. ¹ The Public can print or reprint copies of their license.	- Public submittal of New License Requests - Public can print License Documents - Online Fee Pay¹ - Base Documents that can be sent to the Public

PROGRAMS OF WORK NOT INCLUDED IN THE PROJECT*

**POW not included can be added at a later date via Municipality Change Order form.*

Vacancy and Landlord/Rental Registration Submit/Pay	The public can submit Registration requests for new vacancy registration or register new rental properties. They can also complete fee payments for new and existing registrations. ¹	- Public can submit registration forms for Newly Vacant Properties or New Rental Properties - For Rental Properties the Public can identify Tenants - Pay Fees for new Registrations or complete payments on existing items¹ - Public can track the status of Tasks or Inspections related to their registrations - Internal Dashboards to track new submittals and payments - Base Documents that can be sent to the Public
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ANNUAL SERVICE AND SUPPORT

The annual service and support agreement provides the Township of West Orange's with service and support on the Muncity System. This includes advice for procedural questions, configuration updates, regular software updates and software fixes for problems encountered.

As part of this purchase, the Township of West Orange agrees to allow remote access to its desktop systems with a minimum of broadband Internet connection. High-speed Internet connectivity is preferred. Support will be provided utilizing software such as GoToMeeting or GoToAssist.

Security and Compliance

Muncity inherits best practices of security policies, architecture, and operations processes of its underlying platform, which is continuously audited, meets requirements for numerous compliance programs, and benefits from accredited certifications. Periodic Trustwave vulnerability scans ensure PCI compliance of financial platforms. All sites are certificate secured, and web traffic is protected by SSL encryption.

Prevention and Detection

Automated assessments improve the security and compliance of Muncity applications. Servers are hardened based on recommendations from industry standard CIS security benchmarks, known vulnerabilities and exposures, runtime behavior analysis, and security best practices. Network traffic is actively monitored for security risks, immediate notifications are provided in case of suspected malicious or unauthorized behavior.

Storage and Recovery

Customer data is secured in a private network, and databases backed up and stored remotely in multiple regions. Data access is secured by IAM best practices. Data is hosted via Amazon Web Services, with servers in the US Northeast and US Pacific Northwest. Data is backed up on a weekly basis. If the Municipality would like to include a local server backup service, that service requires an additional Change Order and scope by the ICC CDS Muncity 5 Development Team.

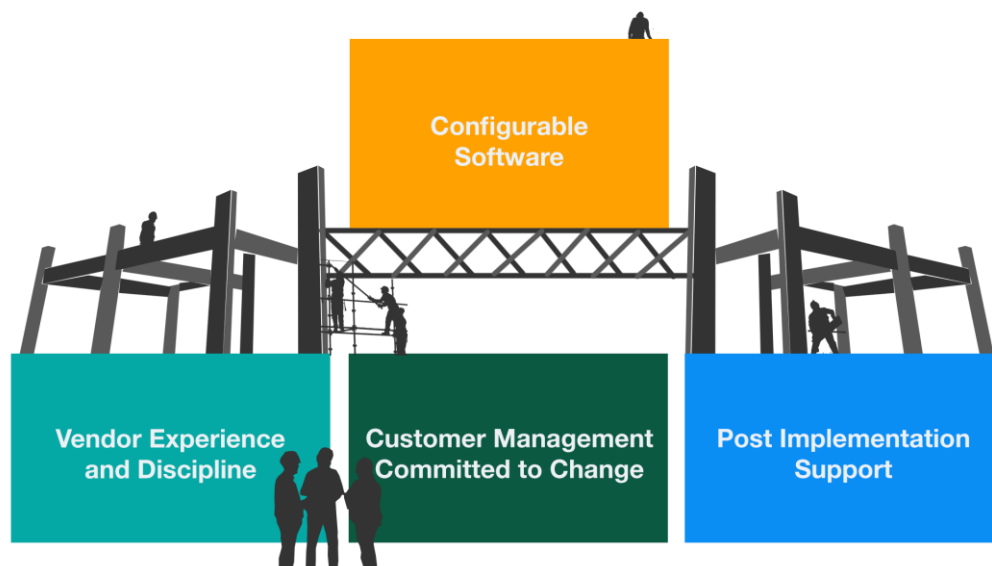
The Importance of the Customer's Involvement in successful implementation

It is imperative that there be buy in from all parties involved within the project in order for it to be successful. Please review the following considerations:

- Commitment from Management for Change and managing resistance
- Senior Project Manager assignment from Customer – single point of contact
- Supervisors' role in learning and becoming inside expert to support users
- Clarity relating to desired integrations and their functionality
- Access to all relevant data for incorporation early in the process
- Commitment to schedules and timelines

MUNICIPALITY IMPLEMENTATION & TRAINING PROCESS

The process of implementing a new software solution within the framework of a busy, often-under-resourced local government operation is often overlooked when jurisdictions consider purchasing a software solution. Successful deployments while being completed in a few months' time often take 18 to 24 months before the new application is seen as comfortable and adopted as "the way we do it." ICC Community Development Solutions' implementation methodology follows a very specific phased approach to implementation and training that has proven to be very successful. Its success is based on a sound structure that supports the process by having clarity on what will make the implementation successful:



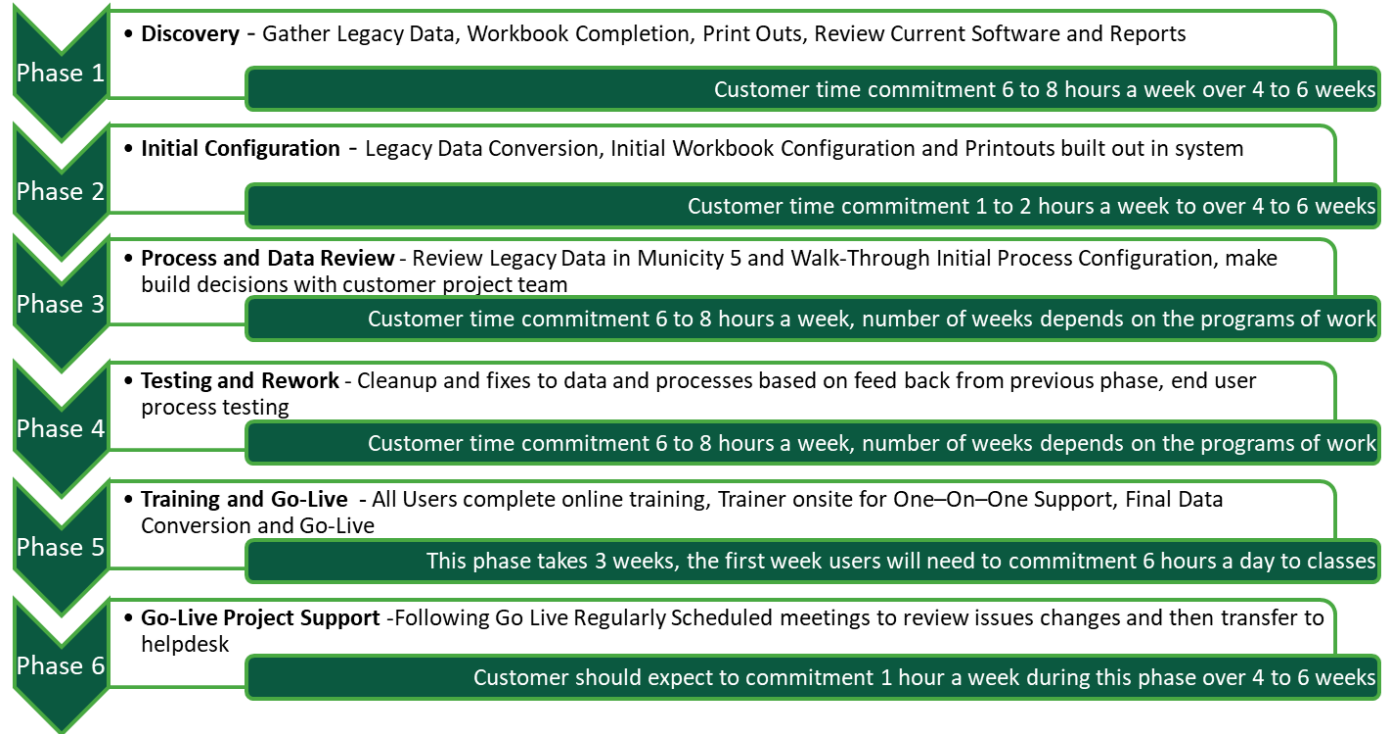
Configure-able Software

Municipality 5 has been built over time based on needs and requirements that have been asked for by our customers. Essentially, it has been built based on customer direction. Part of that evolutionary development has required that it be very flexible in its design to allow that while all building and code enforcement departments issue permits, conduct inspections, manage complaints and so much more, every department we work with operates under different rules and procedures. So, the software and its construction of work processes, form types, information fields, etc. have to allow a great deal of flexibility. This should not be confused with the concept of customization. The ability to configure the software in a flexible way should not need to include new programming/development of the software to achieve the implementation. There is a separate process for software customizations that may come later but aren't done routinely as part of an implementation.

Foundation for a successful implementation -Vendor experience and discipline

Our discipline for implementation follows a very well-organized phased approach led by skilled project managers, technicians, and trainers. The chart below illustrates the process and the discipline followed to move through the implementation as thoroughly and efficiently as possible. It is based on gaining knowledge as rapidly as possible about the way your operation works, the details around your processes and constituent interface and your data sources and structures required to build out the software solution for your organization.

SAMPLE IMPLEMENTATION TIMELINE



Additional annual service and support program details are described in Appendix B.

Customer management commitment to change and time/resource commitment

Leadership commitment and involvement in the implementation of a new software implementation is critical to successful implementation. Vendor's can only do so much to address resistance to change which is a natural part of the implementation process. Leadership reinforcement throughout the process is required to ensure that the decisions made to move to a new platform, while creating short-term pain will lead to longer-term productivity. Leadership also must commit to the amount of time that will be involved in migrating to the new platform –part these commitments include being responsible for the County (or other source) GIS shape files to be imported into the Muncity 5 database. Software users must be reassured that while there will be discomfort and some disruption for them, it is a necessary part of the change process and will eventually become easier once the learning curves are surpassed.

Post-implementation support

A strong helpdesk setup for customer support should be a must for any software vendor. After training and go-live our customers are migrated to our helpdesk for their ongoing support. Our staff tracks all incoming calls or contacts in our CRM system and the cases are tracked through resolution of the issues. The period after go live is that time when new users and managers will be working to reinforce the new way of doing things which often-times means having access to experts who can answer questions or help make needed adjustments to the system or its output.

Project Planning

Upon conclusion of the contract negotiation the process opens with our discovery process. This involves the initial phase 1 plan and schedule. While the project plan at this early phase is created as a general outline as

each phase is completed the next phase has a specific plan created based on what took place in the most recently completed phase. The project teams from both sides of the team iron out the specific plans and agreed to time frames. In each of these phases there can be tasks and/or time/resource commitments that must be agreed to by both sides. Once those items are agreed-upon then the planned phase commences. ICC Community Development Solutions builds in discount incentives for completion and/or time commitments met by the customer in most of the phases of the process.

ICC Project Manager determines if customer requirements for deliverables and deadlines are met at the completion of each phase for discounts to apply. See the Authorization and Agreement section for your specific available discounts.

INVESTMENT DETAIL & OPTIONS

Prices noted for setup, configuration, training, and other services are valid for 3 months from the date of this proposal.

STAGE 1 – MUNICIPALITY 5/MUNICIPALITY MOBILE					
Annual SaaS Subscription					
Municipality 5 / Web-hosted Subscription	Users	Year 1	Year 2 ¹	Year 3 ¹	
Annual Municipality5 Site Subscription	unlimited	\$4,860*	\$6,674	\$6,875	
Annual Municipality5 Mobile Subscription	up to 20 users*	\$3,800	\$3,800	\$3,800	
Annual Maintenance for Integrations: [GIS-based Parcel Updater (\$1,000), TBD Payment Processor (\$800)]	n/a	\$1,800	\$1,854	\$1,910	
Municipality 5 Total Annual SaaS		\$10,460	\$12,328	\$12,585	
Implementation and Training					
Stage 1 – Municipality 5	Departments	POW	Year 1	Year 2 ¹	Year 3 ¹
Municipality 5 POW Implementation (set-up, configuration, templating, printouts etc.)	Building, Planning & Zoning, Health, DPW, Finance, Clerk	- Application to Certificate - Code Enforcement - P&Z Applications - Periodic Inspections - Assets & Inspections - Work Orders & Maintenance - License Application/Renew	\$51,000	-	-
GIS-based Parcel Updater Integration Set-up and Configuration			\$1,500	-	-
Municipality 5 Training (Remote – 3.5 days, On-Site – up to 5 days**)			\$8,100	-	-
Data Migrations: Mitchell Humphrey (up to 40 hours)			\$6,000	-	-
Data Migrations: FRA Health Data [Access Database] – details and pricing of this data conversion require scoping by the Municipality 5 Implementation Team. Once scoped, a quote will be provided with services by the hour. Hourly rates for Data Conversion services are \$175 per hour.			\$TBD	-	-
Data Migrations: MuniDex Financial Data [FoxPro Platform] – details and pricing of this data conversion require scoping by the Municipality 5 Implementation Team. Once scoped, a quote will be provided with services by the hour. Hourly			\$TBD	-	-

rates for Data Conversion services are \$175 per hour.

Integrations: (TBD) Payment Processor Set-up and Configuration²

\$700 - -

Local Municipal Code Import – eCode360®³

\$1,500 - -

Development to meet specific Fee structuring

\$12,700 - -

Automatic escalation process, i.e., permit task expires and gets reassigned to designated person. This can be done, will require more scoping during project implementation. Once scoped, ICC CDS will provide a quote for services.

\$TBD - -

Configure stockpiles within Work Order & Maintenance program of work to track inventory and transactions with reporting to accomplish Cashiering

\$3,500 - -

Municipality 5 Services Total

\$85,000 - -

STAGE 2 – MUNICIPALITY CONNECT Annual SaaS Subscription

Municipality Connect Web-hosted Subscription	Users	Year 1	Year 2 ¹	Year 3 ¹
Annual Connect Subscription	unlimited	\$2,250	\$2,318	\$2,387
Municipality Connect Total Annual SaaS		\$2,250	\$2,318	\$2,387
Implementation and Training				
Municipality Connect Implementation & Training (Remote Training Only) [one-time set-up for building database, process configuration, & training]	Building, Planning & Zoning, Health, DPW, Finance, Clerk	- Application Submit/Pay - Inspection Requests - Issue/Complaint Reporting - License Application Submit Pay	\$24,000	- -
Block specific parcels from public view within Connect to abide by Daniel's Law		ICC CDS will waive this development as the Township will be a Beta for this development within NJ	\$0	- -
Total Yearly Cost				
		\$121,710	\$14,646	\$14,972

Note – does not include additional integrations with 3rd party applications or additional Data Migrations

¹*Please note that first year subscription is granted a one-time discount of 25% off, provided by ICC Community Development Solutions. Future year's subscriptions will be invoiced at the full rate.

*Additional Note: any mobile users added after 20 users will be subject to Change Order at an annual maintenance fee of \$200 per user.

L**ICC Community Development Solutions is also offering up to an additional 3 days of on-site training at no additional cost, if necessary for the Township team.

①After the first year ICC Community Development Solutions may raise the annual support contract by 3% or by the previous year's annual Cost of Living Adjustment (COLA) as calculated by the US Social Security Administration, whichever is greater. ICC Community Development Solutions will provide the Municipality with notice of any proposed increase no later than ninety (90) days prior to the anniversary date of the Contract. The absence of such notice shall be construed as ICC Community Development Solutions' intent to maintain the annual support contract at the prior years' amount.

②Payment Processor pricing contingent upon Township of West Orange selecting and contracting with a Payment Processor that has a pre-established integration with Muncity 5. Options are as follows:

- VPS
- Link2gov/FIS
- Paymentus
- ACI
- Point and Pay
- Forte
- InterwareDev (EB2Gov)
- i3 Merchant Services

If the Township elects to integrate with a payment processor not on the aforementioned list, pricing will be subject to change based on new development cost. New development functionality and cost will need to be scoped by the Muncity 5 development staff.

③The Municipal Code Import is a one-time data upload of the entire code into the Muncity 5 system for reference/citation/etc. Any future code updates beyond the initial import, (due to supplementation changes or other), will require additional export services and will be subject to a Change Order.

☐ OPTIONAL COMPONENT – ICC CODE CONNECT INTEGRATION ADD-ON

Annual SaaS Subscription				
Muncity 5 / Web-hosted Subscription	Users	Year 1	Year 2 ^①	Year 3 ^①
Integrations: ICC Code Connect Annual Subscription (10-20 ICC book sources) and Integration Annual Maintenance	unlimited	\$2,790	\$2,874	\$2,960
Implementation				
<u>Stage 2 – Muncity Connect</u>				
Integrations: ICC Code Connect Set-up and Configuration (10-20 ICC book sources, specific titles to be identified by the Township)		Waived	-	-
Total Yearly Cost				
		\$2,790	\$2,874	\$2,960
Note – if selected, associated fees will be added to the pricing for Desktop and Mobile set-up and annuities.				

The base Municipality subscription license charges support the following:

- Annual Software subscription – this is the actual cost of the software license itself and is an annual recurring expense.
- Hosting – This covers the cost of providing the software in the Cloud and is an annual recurring expense.
- System access – The Municipality subscription pricing includes unlimited user access. There may be normal added expenses for adding users or departments to the system for set up and training but there is no additional charge for adding users (Does not include Mobile access which is user license based).
- Server Storage – Standard Municipality databases are able to house up to 10 Gb of data. Databases that exceed this limit will need to upgrade to an Individual RDS Server Instance for an associated cost. Additional information and pricing for this option are available upon request.
- Media Storage – Standard implementation includes 100 Gb of storage space for Documents and Pictures. Additional Storage can be purchased in 100 Gb increments for \$250 per year.
- Scope of Data Migration does not include –
 - Transfer of Existing Multimedia, (photos, videos, documents, etc.), this is subject to additional scope and charge
 - Cleaning of any corrupted or duplicate data
 - Integration of legacy data into workflow or reports.
 - Logs of data changes
 - Migration of any data into the workflow (i.e., pending or completed signoffs, fee steps, document issuance, inspections). Further examples include but are not limited to; if new statuses are created or new permit types are created, ICC CDS does not configure those new changes on existing legacy data records, data in a legacy free text field describing pending tasks does not convert to separate task entities within Municipality 5, ICC CDS does not prepopulate of build tracker data with data from the legacy system.
- ICC Community Development Solutions/Helpdesk – ICC Community Development Solutions provides Helpdesk support to users and admin managers on a daily basis. This covers the extensive ongoing support that the customer receives while on subscription.

1. Adjustments to Performance Schedule; Delays.

Adjustments to Schedule. Upon the mutual consent of the Municipality and ICC Community Development Solutions, the “Performance Schedule” may be changed or extended as provided under “Delays” below.

Delays. Client must notify ICC Community Development Solutions, in writing, immediately upon learning or otherwise becoming aware, of any difficulties that may delay the delivery of services or deliverables within each Phase of the Implementation timeline. Such notification must identify the reason for the delay, as well as the anticipated period of delay. Any delay on the part of the customer that extends 10 working days beyond the target date for completion of any phase will result in a project restart and additional charges will be identified as part of a change order provided to the customer. This clause shall not apply in case of force majeure. Additionally, an incentive is applied should the Municipality meet the agreed upon deadlines as outlined in the Performance schedule.

AUTHORIZATION & AGREEMENT

The **Township of West Orange, New Jersey** hereby agrees to the procedures outlined above, to ICC Community Development Solutions' Terms and Conditions which are available at <http://icc-cds.com/terms-conditions>, and authorizes ICC Community Development Solutions to proceed with the project.

OPTIONAL COMPONENTS

Please check any optional component to be included with this authorization

☐ Optional Add-on for ICC Code Connect Integration	\$2,790
Integration Set-up and Configuration (first year only)	waived
Annual ICC Code Connect Subscription	\$2,790
<i>Estimated Annual Subscription and Annual Integration Maintenance 2nd Year Forward: \$2,874*</i>	
<i>*includes COLA adjustment</i>	

☐ Optional Contingency Fund for Scope Changes (20% of Services)	\$17,000
<i>We recommend the Municipality consider establishing a Contingency fund to cover any unanticipated scope changes that may occur throughout the project. This will protect the project from delays as a quick email approval could keep a scope change from added delays of waiting for an approval to proceed. This fund creates a pre-approved pool of funds for changes, which will be communicated and approved via Scope Change document, highlighting changes before additional work is implemented. If the funding is not used it will be returned to the Municipality.</i>	
<i>If this option is not selected, any changes or additions to the project will be subject to the traditional Change Order process highlighted in Appendix E, where the Municipality will receive a quote for changes that will need to run through an additional approval process, delays included.</i>	

PAYMENT SCHEDULE

SUBSCRIPTION

- 100% of the First-Year subscription price shall be invoiced upon site license activation – payable within 30 days of authorization
- 100% of the Subsequent years' subscription price shall be invoiced at the 1-year anniversary of license activation

SERVICES – SETUP, IMPLEMENTATION, TRAINING & TRAVEL (\$85,000)

Phase 1: \$4,250 (5%) of the total services price shall be invoiced after Phase I - Discovery Completion

- *Customer eligible for a 5% discount \$212.50 on this Phase if agreed-upon time/meeting commitments are met by customer and process workflows are agreed upon as part of the Phase 1 plan*

Phase 2: \$17,000 (20%) of the total services price shall be invoiced after Phase 2 - Initial Configuration

- *Customer eligible for a 5% discount \$850 on this Phase if agreed-upon time/meeting commitments are met by customer and process workflows are agreed upon as part of the Phase 2 plan*

Phase 3: \$21,250 (25%) of the total services price shall be invoiced after Phase 3 – Process and Data Review

- *Customer eligible for a 5% discount \$1,062.50 on this Phase if agreed-upon time/meeting commitments are met by customer and process workflows are agreed upon as part of the Phase 3 plan*

Phase 4: \$17,000 (20%) of the total services price shall be invoiced after Phase 4 – Process and Data Review

- *Customer eligible for a 5% discount \$850 on this Phase if agreed-upon time/meeting commitments are met by customer and process workflows are agreed upon as part of the Phase 4 plan*

Phase 5: \$17,000 (20%) of the total services price shall be invoiced after Phase 5 – Training and Go-live

- *Customer eligible for a 5% discount \$850 on this Phase if agreed-upon time/meeting commitments are met by customer and process workflows are agreed upon as part of the Phase 5 plan*

Phase 6: \$6,880 (10%) of the total services price shall be invoiced after Phase 6, 20 Days after Go-live.

Municipity Connect: \$24,000 (total of the services) will be invoiced per it's specific Project Phases* below:

- Phase 1 - Discovery - 5%
- Phase 2 - Initial Configuration - 25%
- Phase 3 - Process and Data Review - 25%
- Phase 4 - Process Testing and Rework - 25%
- Phase 5 - Training and Go-live - 20%

**Municipity Connect project stage begins after the Municipity 5 project stage goes live. The kickoff of the Connect project will be scheduled at the request of the Municipality, whenever their team is prepared to move forward.*

ICC Community Development Solutions Project Manager determines if customer requirements for deliverables and deadlines are met at the completion of each phase for discounts to apply.

Estimated Municipality Base Solution (First Year Costs):	<u>\$ 121,710</u>
Optional ICC Code Connect Component(s), if selected:	<u>+ \$ 2,790</u>
Optional Contingency Fund Component(s), if selected:	<u>+ \$ 17,000*</u>
Estimated Total Investment:	<u>\$</u>

*Contingency fund is for pre-approval of funds. These funds will not be invoiced unless they are needed and agreed upon after change order review

TOWNSHIP OF WEST ORANGE, ESSEX COUNTY, NEW JERSEY

By: _____ In the Presence of: _____

Title: _____ Title: _____

Date: _____ Date: _____

ICC COMMUNITY DEVELOPMENT SOLUTIONS, LLC

By: _____ In the Presence of: _____

Title: _____ Title: _____

Date: _____ Date: _____

1. **Sign the Proposal**
2. **Fax or email the Authorization & Agreement Section only to: ICCCDS@generalcode.com • fax (585) 328-8189**
3. **Mail the signed Proposal to ICC Community Development Solutions at: 781 Elmgrove Road • Rochester, NY 14624**

Upon request ICC Community Development Solutions can sign and mail a copy of this agreement back to the Municipality for its records.

APPENDIX A - MUNICIPALITY™ RECOMMENDED MINIMUM SPECIFICATIONS

Recommended:

Workstations:

Processor	Minimum Intel i5 or equivalent processor and is less than 5 years old
Operating System	Windows 10 (32 or 64 bit) – 64 bit preferred
Optimal Browser	Google Chrome latest version or other Chromium based browser
Hard Drives	10 GB of free disk space for software and temporary files (SSD Preferred) Should also be less than 5 years old
RAM	Minimum 8 GB
Monitor	Minimum 23" monitor recommended for optimal viewing
Internet Access	Program is web-based. Support is handled online. Stable Internet access and ability to access via GoToAssist required on all workstations

Mobile Device (if applicable):

General	Android, iOS, Windows enabled device Mobile can be used in offline mode Camera recommended for taking photos in the field
Screen Size	Minimum 8" Screen
Storage	Minimum 64GB
Network	Minimum 4G Wireless Connection

Preferred:

Workstations:

Processor	Intel i7 or equivalent processor and is less than 3 years old
Operating System	Windows 10 or newer – 64 bit
Optimal Browser	Google Chrome latest version or other Chromium based browser
Hard Drives	25 GB of free disk space for software and temporary files (SSD Preferred), should also be less than 5 years old
RAM	16 GB
Monitor	At least one 23" monitor for optimal viewing, 2 monitors preferred
Internet Access	Program is web-based. Support is handled online. Stable Internet access and ability to access via GoToAssist required on all workstations. Connections should be wired.

Mobile Device (if applicable):

General	Android, iOS, Windows enabled device Mobile can be used in offline mode Camera recommended for taking photos in the field
Screen Size	Minimum 10-inch screen
Storage	128 GB
Network	5G Wireless Connection

Network Recommendations:

General	There is a confirmed interference with some antiviruses that check every network call before allowing it to be sent through the browser Broadband Internet Connection with a minimum bandwidth speed test range of 2 mbps preferred. Allow all of the Muncity domains in your firewalls/router/antivirus: *.Muncity5.com/* *.MuncityMedia.com/* *.MuncityReports.com/* Once whitelisted please ensure that the URLs are resolving to the following IP's *.Muncity5.com/* : 107.23.104.209 *.MuncityMedia.com/* : 107.23.71.163 *.MuncityReports.com/* : 107.23.154.244 Ensure Port 9030 and 9057 is Open
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Recommended Bandwidth/Speeds:

Number of Users	Base Download Speed	Preferred Download Speed	Base Upload Speed
1 – 6	150 mbps	250 mbps	20 mbps
6 – 20	100 mbps	150 mbps	25 mbps
21 – 40	100 mbps	200 mbps	30 mbps
41 – 60	150 mbps	250 mbps	35 mbps
61 – 80	200 mbps	300 mbps	40 mbps
80+	300 mbps	350 mbps	50 mbps

Remote Access:

The client agrees to allow remote access to its desktop systems with a minimum of broadband Internet connection. High-speed Internet connectivity is preferred. Support will be provided utilizing software such as GoToMeeting, GoToAssist or WebEx.

APPENDIX B - GENERAL MUNICIPALITY SERVICE LEVEL AGREEMENT

Municipality Support is renewable on an annual basis and was created to deliver critical program updates and provide ongoing technical support for your Municipality System. With Municipality Support you will always be confident that you are receiving the very best performance and quality possible.) Technical support also covers basic updates to Entity Types, templates, fee calculations, reports, printouts as well as creation of new user accounts.

Contacting ICC COMMUNITY DEVELOPMENT SOLUTIONS' Support Team

- Call our toll-free number (855-436-5500)
- email at municipitysupport@generalcode.com

Service Level Agreement

- Technical support requests not immediately addressed will be acknowledged within 8 business hours with the majority of response times within 2 hours
- ICC Community Development Solutions' Help Desk Technician may need to remotely access your system to diagnose an issue.
 - In these situations, ICC Community Development Solutions will use RescueAssist, WebEx, or your remote service tool, to create a remote connection with you so they can observe and diagnose an issue
- Technical Support is provided between the hours of 8:00 AM - 5:00 PM EST, Monday through Friday
- In situations that require additional research or work by the technician, we will let you know what still needs to be done, along with a timeframe for getting back to you
- Every Issue reported to the ICC Community Development Solutions Help Desk will have a Case Number Assigned for your reference

Included with Municipality Support

- Simple Updates/Additions to Entity types and Templates
 - Entity types are items such as Permit Types, Fee Types License types etc.
 - Templates are configured mappings of items such as fees, inspections and task to parent items such as Permits and Licenses
- Simple Updates/Additions to Printouts
- Creation of Simple New Reports
- Creation of New User Accounts
- Creation of New Groups and Fields on Entities
- Remote troubleshooting and repair to the extent of our ability of any errors generated by Municipality
- Remote troubleshooting and repair to the extent of our ability any Municipality technical issues
- Escalation to Municipality Engineers for any software issue that we cannot immediately resolve
- Access to all major and minor updates provided by Municipality per the request of the customer
- Assistance in activating/configuring minor software updates provide by Municipality
- Access to TIPS and FAQs on the ICC Community Development Solutions' website
- User group meetings and webinars
- Access to Municipality's knowledgebase
- Answers to Basic Procedural questions

- Automatic Scheduled Bulk updates to parcel data
 - Customer must be using a software that Municipality has currently integrated with, please contact your sales rep for the most updated list
 - Customer must own their Assessment data or have arranged access to the data with the entity that does have ownership
- Periodic Bulk Updates to Parcel
 - If not using an integrated software customer must send the data to the ICC Community Development Solutions' Helpdesk when changes are needed
 - Data needs to be sent in either excel format or some other text delimited format
 - Data should be sent in the same format each time
- Ordinance code updates at the customer's request (*if integration is purchased*)
 - If Ordinance Codes are not available through General Code's eCode Product they must be provided in a text delimited or excel file
 - The file must separate the Code Number, Short Description and Long description

Excluded from Municipality Support

- New user or refresher training (on-site or remote)
- Training related new features/modules released as part of a software updates
- Data Conversions from Third Party Systems
- Addition of custom features or functionality to the software
- Support or troubleshooting of third-party software
- Faults or problems caused by unauthorized access to configuration information or changes to components by the user or a third party.
- Problems or faults caused by use of the product outside its normal operating conditions.
- Support of Customer Hardware/Infrastructure that is used in conjuncture with Municipality
- Creation of Complex New Reports
 - ICC Community Development Solutions will be responsible for determining if a request is Major or Minor based on the number of hours required to make the requested change
 - Complex reports refer to but is not limited to Reports that require unique data formatting, process changes, pulling data from multiple child objects, and multiple data groupings
 - Reports that require development changes in-order to create
- Complex Updates/Additions to Entity Types/Templates or Processes
 - This refers to significant new or updated changes of Entity Types/Templates.
 - ICC Community Development Solutions will be responsible for determining if a request is Major or Minor based on the number of hours required to make the requested change
 - This includes any requests that require development changes in order to enact
- Complex Updates/Additions to Printouts
 - This refers to significant new or updated changes of Print Outs
 - ICC Community Development Solutions will be responsible for determining if a request is Major or Minor based on the number of hours required to make the requested change
 - This includes any requests that require development changes in order to enact
- Assistance in activating/configuring complex updates provide by Municipality
 - This refers to major updates such as entirely new functionality/modules released by Municipality Developers

- ICC Community Development Solutions and Muncity developers will be responsible for determining if an update is complex or simple based on the number of hours required to activate and configure the update
- If you have questions regarding whether a change is complex or simple please contact our Muncity Support
- Automatic Ordinance codes updates unless a separate integration is purchased

Method of Support:

ICC Community Development Solutions provides its Help Desk support remotely via the internet utilizing web browser tools such as GoToAssist. The customer agrees to provide remote internet access to their client workstation(s) as needed. Broadband internet connectivity at the customer site is preferred, but a minimum of a 56kb modem is required.

Customer's Obligation:

In order to participate in the Muncity Support program, the Customer is required:

- To issue a purchase order for or complete payment on an invoice for the annual Muncity Support.
- To have Internet access on all workstations where the Muncity client is installed and be willing to allow our Support Technicians remote access to the Customer's Muncity system via GoToAssist or other acceptable remote access tool.
- To designate an IT contact and to provide the name, phone number and e-mail address.
- To describe technical issues completely in order to provide ICC Community Development Solutions' Help Desk staff sufficient information to be able to diagnose and reproduce the problem, including any identified error codes.
- To have our preferred browser installed

APPENDIX C – MUNICIPALITY TRAINING EXAMPLE

SAMPLE TRAINING TIMELINE

**training timeline & course curriculum subject to change dependent on the scoped project, what is provided is a sample to provide an idea of potential training schedule & content*

SESSION	START TIME	Topics	AUDIENCE	CONFERENCE ROOM
DAY 1	9am	Intro to Municipality	All Municipality Users	
	10am	Licenses, Contacts and Occupants	Users who need to interact with Licenses, Contacts or Occupants	
		Break		
	1pm	Application Process	Users who need to interact with Planning and Zoning Applications	
DAY 2	9am	Code Enforcement Process	Users who need to interact with the Code Enforcement Process	
		Break		
	1pm	Application to Certificate Process	User who need to interact with Building Applications	
DAY 3	9am	Periodic Inspections and Mobile	Inspectors and users needing to schedule inspections	
		Break		
	1pm	Reporting, Dashboards and Console	Super Users interested in learning more about these items	
Day 4 - Live with Municipality 5				

Support for Day 3 and 4

The Technical Trainer and Project Manager will be available all day via GoToMeeting to support the Municipality. At any point municipal team members can join in the meeting to connect with support. Call in information will be provided closer to go-live.

Additional Support Time (Depending on Modules Selected & Departments Involved)

Post training/ Following Week – daily check-in calls at 8:30

COURSE DESCRIPTIONS BELOW

SAMPLE COURSE: INTRODUCTION TO MUNICITY

DESCRIPTION:

This initial class is meant to introduce Users to Muncity navigation features and to briefly review the available functions within Muncity.

EXPECTATIONS AND GOALS:

After this course, Users will have a basic understanding of what Muncity is capable of and the functionality they can expect with their current configuration.

COURSE FORMAT:

This course may be taught to up to 15 individuals in a classroom format. Conference room with projector or large screen monitor required.

DETAILED COURSE OUTLINE:

- Review Logging into Muncity and Brief Review of Left Task Bar Functions
 - GIS
 - Contacts
 - Calendar
 - Dashboard
 - Word Reports
 - Console
 - Reminders
 - Templates
- Using the Searching Screen
- Parcel Window overview
 - Overview Screen, Groups and Fields
 - Contacts
 - Child Items – Brief review of each item
 - Breadcrumbs
 - Media
 - Subscriptions
- Brief Review of Advance Searches within the Console

SAMPLE MODULE COURSE: APPLICATION TO CERTIFICATE PROCESS

DESCRIPTION:

This training session will walk Users through the permitting process from receiving an application to the issuance of a certificate.

EXPECTATIONS AND GOALS:

After this course, Users will have a basic understanding of how to create and process new applications/permits and their necessary related items such as fees, inspections, review tasks and certificates. During the class, the trainer will also review how to search for legacy permits and continue to process any open permits that have been brought over from your legacy system.

COURSE FORMAT:

This course may be taught to up to 10 individuals in a classroom format. Conference room with projector or large screen monitor required.

DETAILED COURSE OUTLINE:

- Adding an Application/Permit to a Parcel
 - Using Application/Permit Wizard
 - Fee, task and inspection templates
 - Adding additional fees, task and inspection from within the wizard
- Adding/Changing Data in the Application/Permit after it is created
 - Overview screen fields
 - Child items
 - Media
- Completing payments and issuing permits
- Scheduling Inspections
 - Completing inspections will be covered in more detail during the inspection training
- Grouping Permits (if applicable)
- Completing a Permit and issuing a certificate
- Issuing a permit to a person/company as opposed to a parcel
- Moving permit data from one parent item to another
- Voiding or Deleting an application/permit and its child items
- Using the console for advance permit searches

APPENDIX D – REFERENCES AND TEAM INFORMATION

CUSTOMER REFERENCE INFORMATION	
Customer Information	
• Company/Organization Name	City of Schenectady
• Company Address	105 Jay Street, Schenectady, NY 12305
• Contact Name and Position	Lisa Adamyk, Principal Audit Clerk
• Phone Number	518-382-5199, x5357
• Email Address	LAdamyk@schenectadyny.gov
• Contact Name and Position	John Coluccio, Signal Superintendent
• Phone Number	518-382-5065
• Email Address	JColuccio@schenectadyny.gov
• Website Address (if available)	http://www.cityofschenectady.com
Demographic Information	
• Company/Organization Size	80 Users
• Solutions/Systems Installed, Installation Timeframe and Sequence	Municipality 5
• Dates(s) Solution/System Installed	2019

CUSTOMER REFERENCE INFORMATION	
Customer Information	
• Company/Organization Name	City of Greenfield
• Contact Name and Position	Mark Snow, Fire/Building/Zoning Inspector & Code Officer
• Company Address	14 Court Square, Greenfield, MA 01301
• Phone Number	413-772-1404
• Email Address	mark.snow@greenfield-ma.gov
• Website Address (if available)	https://greenfield-ma.gov/
Demographic Information	
• Company/Organization Size	33 users
• Solutions/Systems Installed, Implementation Timeframe and Sequence	Municipality 5, Mobile inspectors, Municipality Connect
• Dates(s) Solution/System Installed	2019

CUSTOMER REFERENCE INFORMATION	
Customer Information	
• Company/Organization Name	City of Auburn
• Contact Name and Position	Jennifer Haines, Director Planning & Economic Development
• Company Address	Memorial Cty Hall, 24 South St, Auburn, NY 13021
• Phone Number	315-255-4146
• Email Address	jhaines@auburnny.gov
• Website Address (if available)	https://www.auburnny.gov/
• Company/Organization Size	35 users
• Solutions/Systems Installed, Implementation Timeframe and Sequence	Municipity 5, Mobile, Municipity Connect
• Dates(s) Solution/System Installed	2019

CUSTOMER REFERENCE INFORMATION	
Customer Information	
• Company/Organization Name	City of Roseburg
• Company Address	900 S.E. Douglas Avenue, Roseburg, OR 97470
• Contact Name and Position	Brian West – IT Manager
• Phone Number	(541) 492-7001
• Email Address	BWest@cityofroseburg.org
• Website Address (if available)	https://www.cityofroseburg.org/
Demographic Information	
• Company/Organization Size	25 Users
• Solutions/Systems Installed, Installation Timeframe and Sequence	Municipity 5
• Dates(s) Solution/System Installed	2018

APPENDIX E – SAMPLE CHANGE ORDER

If the Municipality does not elect to utilize the Contingency fund option, any scope changes discovered through the project will be handled through a Change Order approval process – which may potentially affect the project schedule. Below is a sample Change Order.



781 Elmgrove Road, Rochester, New York 14624
(800) 836-8834 • (585) 328-1810
FAX (585) 328-8189

MUNICIPITY™ CHANGE ORDER #XXXXX_02042021 ADDITIONAL PRODUCT OR SERVICES

This Change Order is subject to ICC Community Development Solutions' Terms and Conditions, which are available at <http://icc-cds.com/terms-conditions> and are incorporated herein by reference, and the client authorizes ICC Community Development Solutions to proceed with the project.

Client Name: Customer Name
Address: Customer Address
Customer Address

Contact Person: Customer name
Account Executive: GC Name
Date: January 26th, 2021

Municipality 5 / Additional Programs of Work or Change in Scope

POW Implementation (set-up, configuration, templating, project management, printout/report development, etc.)

➤ Vacancy and Landlord/Rental Registrations \$TBD

Total One-time Price \$TBD

Total Annual Subscription Price \$TBD

Timeline: This service will be provided within the implementation phases of the main Municipality 5 project.

Payment Terms: 100% of development services will be invoiced upon deployment.

Price Validity: Price is valid for 60 days from 2/4/2021.

(Client please fill out) Invoice for this Change Order to be sent to:

Department: _____ **Contact Name:** _____

(Please See Following Page for Scope Change description and Signature)

DESCRIPTIONS OF PROGRAMS OF WORK OR SCOPE CHANGE INCLUDED IN THIS CHANGE ORDER:

Programs of Work	Description	Detail
Scope Change #1		
Scope Change #2		

The prices and specifications in this Change Order are satisfactory and are hereby accepted. All work is to be performed under the same terms and conditions as specified in the original contract unless otherwise specified.

MUNICIPALITY NAME, MUNICIPALITY COUNTY, MUNICIPALITY STATE

Signature _____ Date _____

Name _____ Title _____

ABOUT ICC COMMUNITY DEVELOPMENT SOLUTIONS

Serving the needs of local government for over 55 years, General Code, LLC has provided a variety of products and services to more than 3,000 clients throughout the United States, including the Muncity™ Integrated Parcel Management Suite. Our staff has developed, implemented, and maintained many projects for various local governments, ranging from small towns and villages to major cities and counties.

On November 16, 2017, it was announced that General Code, LLC became a wholly owned subsidiary of the International Code Council (ICC). The decision to bring these complementary organizations together was based on the desire to deliver a broader set of digital solutions for ICC members.

“This acquisition of General Code will provide a perfect complement to our product and service portfolio,” said Code Council Chief Executive Officer Dominic Sims, CBO. “We are strategically aligned with similar missions and goals, focused on safety and serving our members and customers.”

TEAM STRUCTURE

ICC Community Development Solutions will provide a Project Manager as a single point of contact for the Muncity project. This will ensure consistency across the projects, and direct access for question resolution, project status updates, change order requests and issue escalation. In addition, ICC Community Development Solutions will assign various specialists across the duration of the project based on expertise needed and schedule.

During Consultation and Project Planning, the ICC Community Development Solutions team will discuss process needs, system requirements, make technical recommendations and answer questions. Finally, the Project Manager will work with the Municipality Project Manager and Team to set schedules, identify users and security and set a tentative timeline for the Implementation.

Training of IT staff and End-Users will be performed by ICC Community Development Solutions’ Installer/Trainer(s). These individuals will work with groups of end-users to train them on various aspects of the Muncity system.

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 16, 2023** 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.
- (X) 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):

Resolution Authorizing an Executive Session for the Purpose of Discussing a Matter of Specifically, the Retention of Special Counsel.

(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 **May 16, 2023.**

Motion:

Second:

Vote

Aye:

Opposed:

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

Tammy Williams
Council President

Adopted: May 16, 2023

REVISED**AN ORDINANCE AMENDING CHAPTER 5, SECTION 25.9(c) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 25 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to ensure the health and safety of all persons involved in massage businesses establishments within the Township.

II. CHAPTER 5, SECTION 25.9(c) SHALL BE AND HEREBY IS AMENDED AS FOLLOWS:

c. All employees, including massage practitioners and employees shall be clean and wear clean, nontransparent outer garments. A separate dressing room must be available on the premises. Doors to such dressing rooms shall open inward and shall be self-closing.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

Karen J. Carnevale, R.M.C.

Tammy Williams, Council President

Susan McCartney, Mayor

Introduced: April 18, 2023

Adopted:

Legislative History

The purpose of this ordinance is to revise the Operating Requirements of Massage establishments to provide gender neutral dressing rooms. This also eliminates the requirement for showers.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-7.3, TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL, SUBSECTION 7-12 PARKING PROHIBITED FOR STREET CLEANING AND MAINTENANCE, 7-13 NO PARKING ANYTIME, AND 7-14.1C NIGHT PARKING PROHIBITED, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE

BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey as follows:

Section 1. Subsection 7-7.3, Temporary Parking Prohibition for Snow Plowing and Removal of the Township of West Orange is hereby supplemented and amended as follows: (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Sides	Location
Undercliff Terrace South	Both	Walker Road to the Northerly Dead End

Section 2. Subsection 7-12, Parking Prohibited for Street Cleaning and Maintenance of the Township of West Orange is hereby supplemented and amended as follows: (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Side	Hours/Day	Location
Undercliff Terrace South	East	9AM-1PM Thursday	Walker Road to the Northerly Dead End

Section 3. Subsection 7-13 Parking Prohibited at All Times on Certain Streets of the Township of West Orange is hereby supplemented and amended as follows: (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Side	Location
Undercliff Terrace South	West	From the northerly curbline of Walker Road extended to the Southerly property line of # 1 Undercliff Terrace South

Section 4. Subsection 7-14.1C Night Parking Restricted of the Township of West Orange is hereby supplemented and amended as follows: (*italic type denotes deletion, bold type denotes addition*):

Exceptions:

Name of Street	Sides	Location
Undercliff Terrace South	East	Walker Road to the northerly Dead End
Undercliff Terrace South	West	In front of House #1 only

Section 5. If any provisions of this Ordinance or application thereof, under any circumstances, is held invalid, the invalidity shall not affect any of the provisions or applications of this Ordinance that can be given effect without the valid provision(s) or application and to this end, the provisions of this Ordinance are severable.

Section 6. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 7. This Ordinance shall take effect upon final passage and publication in accordance with law.

**Karen J. Carnevale, R.M.C.
President**

Tammy Williams, Council

Susan McCartney, Mayor

Introduced: April 18, 2023

Adopted: May 2, 2023

LEGISLATIVE HISTORY

This Ordinance amends the Revised General Ordinances of the Township of West Orange Chapter 7-7.3 Temporary Parking Prohibition for Snow Plowing and Removal, Chapter 7-12 Parking Prohibited for Street Cleaning and Maintenance, Chapter 7-13, Parking Prohibited at All Times on Certain Streets, and Chapter 7-14.1C Night Parking Restricted on the northerly section of Undercliff Terrace South. This change was requested by the Homeowners on this street, who petitioned for overnight parking in front of their homes.

**AN ORDINANCE AMENDING CHAPTER 4, SECTION 11.4 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(SHOPPING CARTS: IMPOUNDING FEE)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 4, Section 11.4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 4, Section 11.4 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 4, SECTION 11.4 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§4-11.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Impounding Fee” which specifies the impounding fee the Township Police Department may charge if any abandoned shopping cart is found on public streets shall be repealed and replaced by the following language:

The Police Department shall impound any shopping cart found abandoned on the public streets or sidewalks or in any other place in the Township outside the premises and adjoining supervised parking area of a store which makes shopping carts available to its customers. An impounded shopping cart shall be returned to its owner on payment of a fee to be prescribed by Resolution.. Any unclaimed shopping carts may be sold or destroyed by the Police Department after a reasonable time.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED: May 2, 2023

ADOPTED: May 16, 2023

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 4 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 4, SECTION 20.3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(INSUFFICIENT FUNDS-SERVICE CHARGE)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 4, Section 20.3 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 4, Section 20.3 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 4, SECTION 20.3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§4-20.3 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Service Charge” which specifies the service charge imposed on any taxes, fees or other charges due to the Township where a check was submitted and returned for insufficient funds shall be repealed and replaced by the following language:

A service charge shall be imposed on any taxes, fees or other charges due to the Township of West Orange where a check or draft has been submitted to the Township toward the payment of such taxes, fees or other charges, and such check or draft is returned for insufficient funds. Whenever an account owing is for a tax or special assessment, the service charge shall be included on whatever list of delinquent accounts is prepared for the enforcement of the tax or assessment lien. The appropriate municipal officer may demand that future payments be tendered in cash or by certified or cashier's check on any account where a check tendered for payment on such account is returned for insufficient funds. The service charge may be collected in any manner authorized by law. The amount of the service charge imposed shall be prescribed by Resolution.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 4 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 1.14 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(GENERAL LICENSING PROCEDURES-FEE SCHEDULE)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 1.14 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 1.14 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 1.14 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-1.14 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Fee Schedule” which specifies the schedule of fees for permits and licenses not provided for elsewhere in the code shall be repealed and replaced by the following language:

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED: May 2, 2023

ADOPTED: May 16, 2023

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

AN ORDINANCE AMENDING CHAPTER 5, SECTION 2.4 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE (PEDDLERS-COMMERCIAL PERMIT APPLICATION AND FEE ADVERTISEMENT)

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 2.4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 2.4 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 2.4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-2.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Commercial Permit Application and Fee Advertisement” which specifies the schedule of fees for permits for peddlers, as defined by the Township of West Orange Municipal Code, shall be repealed and replaced by the following language:

Every applicant for a commercial permit under this section shall file with the Township Clerk a sworn application in writing, on a form to be furnished by the Township. The form shall be completed and signed by the applicant with the following information:

- a. Name, age and physical description of the applicant if an individual; if applicant is an organization, name of the organization as well as the name, age and physical description of all persons who will be working as peddlers in the Township on behalf of the organization (each of whom must complete their own individual application);
- b. Residence or principal business address of the applicant, but not a post office box, to which all notices and communications are to be addressed;
- c. Permanent home address of the applicant (if different than residence or principal business address);
- d. Brief description of the nature of the applicant's business, and the goods to be sold or the services to be furnished or performed;
- e. If employed, the name and address of the employer, together with credentials establishing the exact relationship, and a letter or other written

statement signed by the employer, certifying that the applicant is authorized to act as such employer's representative;

f. Length of time for which the right to do business is desired, but not to exceed a period of 45 days;

g. Extent and portion of Township to be covered by or on behalf of the applicant; days, dates and hours on and between which sales will be conducted;

h. Statement of and signed by the applicant as to whether or not the applicant or any person working as a peddler on behalf of the applicant has been convicted of any crime or disorderly persons offense or violation of any ordinance; and if so, the nature of the crime, offense or violation, the punishment or penalty assessed therefor, and the date and place of such conviction;

i. License number and complete description of any vehicle which is to be used in connection with such peddling activity;

j. Two passport size photographs of the applicant and all persons working as peddlers on behalf of the applicant, taken within 60 days immediately prior to the filing of the application;

k. Each applicant, including all persons working as peddlers on behalf of an entity applicant, or for another individual applicant, shall submit himself or herself for fingerprinting at Police headquarters before a permit may be issued;

l. Payment of an application fee as prescribed by Resolution and as permitted by N.J.S.A. 40:52-2;

m. Two business references located in the County of Essex, State of New Jersey, or in lieu thereof such other available evidence of the character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and responsibility, including, but not limited to, banking references, customer references, and lender references;

n. The applicant shall provide a copy of his or her New Jersey Business Registration Certificate;

o. The applicant shall insert one advertisement two inches by two inches in size in a newspaper circulated in the Township, informing the public of the name, purpose, location and dates of any peddling activity for which a permit may be issued under this section at least two weeks prior to the commencement of such activity. The costs of such advertisement shall be paid by the applicant, which shall file an affidavit of publication with the Township Clerk. In the case of an applicant who will have other peddlers

working on his behalf only one advertisement shall be necessary, but same shall set forth the number of peddlers who will be working on that applicant's behalf.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 4, SECTION 29.2 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(PARKING OF RESIDENTIAL VEHICLES PROHIBITED)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 4, Section 29.2 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 4, Section 29.2 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 4, SECTION 29.2 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§4-29.2 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Service Charge” which specifies the service charge imposed on any taxes, fees or other charges due to the Township where a check was submitted and returned for insufficient funds shall be repealed and replaced by the following language:

a. Definitions. As used in this subsection:

PARK OR PARKING

Shall mean the standing or waiting on a street, road or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

PERSON

Shall include natural persons, firms, associations, partnerships and corporations.

RECREATIONAL VEHICLE

Shall mean any motor vehicle primarily designed and used as a travel trailer, camper, camping trailer, motor home or tent trailer and any boat, snowmobile, jet-ski, off-road motorcycle, vehicle intended for the purpose of racing and/or their respective trailer(s).

STORE

Shall mean keeping for safe care or custody whether temporarily or permanently.

b. Parking Restrictions. No person shall park or store any recreational vehicle of any size on any residential street, highway, right-of-way, public place or private road within the Township between the hours of 9:00 p.m. and 7:00 a.m. every day except as hereinafter provided.

c. Temporary Parking Permits. Any person who is subject to the provisions of this subsection may apply to the Chief of Police or his designee for a temporary

permit allowing the parking of a recreational vehicle which will be valid as follows:

1. Up to 30 consecutive days upon a showing by the applicant that visitors to such person's residence will not be able to park in the immediate vicinity thereof or on such person's property without violating the Township's ordinances.
2. Up to two consecutive days, with one renewal period of two consecutive days in any thirty-day period, for the purpose of loading and/or unloading such vehicle, upon a showing by an applicant that the vehicle cannot be parked on the applicant's property.

d. Application Procedure.

1. Applications for temporary permits shall be made in writing to the Chief of Police or his designee on forms provided by the Township.
2. Each applicant shall provide satisfactory proof that all of the conditions required for the issuance of a permit have been met.
3. Each applicant shall also provide the original registration documents and/or ownership papers to the recreational vehicle.
4. The fee for a temporary parking permit shall be an amount as prescribed by Resolution.

e. Approval of Temporary Parking Permits; Limitation.

1. The Chief of Police or his designee shall approve any application for a temporary parking permit which meets the requirements of this subsection provided there is a further finding that the issuance of such permit will not unduly impair traffic safety during the period of its validity.
2. Approval may be conditioned upon parking being limited to a certain portion or portions of any residential street, highway, right-of-way or public place.
3. No more than one temporary parking permit shall be issued and outstanding at any one time for the use of any one dwelling unit.

f. Other Compliance. The parking or storage of any recreational vehicle must comply with all other local parking regulations.

g. Penalty. Any person violating this subsection shall be liable, upon conviction, to the penalty stated in Chapter 1, Section 1-5 for each such violation and each day in which such violation continues shall constitute a separate violation or offense.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED: May 2, 2023

ADOPTED: May 16, 2023

2747-23
Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 4 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 4, SECTION 34.3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(EXTRA DUTY EMPLOYMENT FOR POLICE OFFICERS-RATES OF
COMPENSATION; ADMINISTRATIVE FEES; PAYMENT FOR SERVICES)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 4, Section 34.3 of the Revised General
Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 4, Section 34.3 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 4, SECTION 34.3 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§4-34.3 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Rates of Compensation; Administrative Fees; Payment for Services” which specifies the rate of compensation to employees of the Township Police Department performing Extra Duty Services shall be repealed and replaced by the following language:

Because of the myriad types of assignments that Police Officers may be called upon to perform, it is reasonable that different rates apply.

a. Unless there are contractual agreements with a vendor/contractor to the contrary, the following rates of compensation apply:

- 1.** Steady Security/Crowd Control Assignments. Steady security and crowd control assignments shall be paid at a rate as prescribed by Resolution. This rate includes an administrative fee prescribed by the same Resolution.
- 2.** Special Event Security/Crowd Control Assignments. Special event security and crowd control assignments shall be paid at a rate as prescribed by Resolution. This rate includes an administrative fee prescribed by the same Resolution. Special event security/crowd control assignments are defined as assignments not worked on a regular/steady basis.
- 3.** Special Event-New Year's Eve. Special event-New Year's Eve assignments shall be paid at a rate as prescribed by Resolution. This rate includes an administrative fee to be prescribed by the same Resolution.
- 4.** Traffic/Road Construction. Assignments for all traffic control at construction site assignments shall be as follows:
 - (a)** Assignments between 12:00 a.m. on Monday and 11:59 p.m. on Friday shall be paid at a rate as prescribed by Resolution. This rate includes an

administrative fee prescribed by the same Resolution.

(b) Assignments between 12:00 a.m. on Saturday and 11:59 p.m. on Sunday shall be paid at a rate as prescribed by Resolution. This rate includes an administrative fee prescribed by the same Resolution..

(c) All road construction assignments that require the use of a marked patrol unit shall be charged additionally, as prescribed by Resolution. This is in addition to the administrative fees already billed. The assignment of the vehicle will be determined by the Police Administration and availability of the vehicles at the time of the request.

b. All assignments shall have a four hour minimum per officer contracted.

c. Officers are entitled to the minimum hours of compensation stipulated in subsection 4-34.3b if their assignment is cancelled upon their arrival at the job site without advance notice stipulated in subsection 4-34.4c.

d. Officers who begin an assignment, but who are cancelled prior to the completion of the assignment shall be entitled to the minimum compensation stipulated in subsection 4-34.3b or the number of hours worked, whichever is longer.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 4 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 3.3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(TRANSIENT MERCHANTS-LICENSE FEE; PAYMENT BEFORE SALE;
TERMS OF LICENSE)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 3.3 of the Revised General
Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 3.3 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 3.3 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-3.3 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “License Fee; Payment before Sale; Terms of License” which specifies the licensing fee to be paid by transient merchants shall be repealed and replaced by the following language:

All transient merchants or itinerant vendors shall, before offering for sale any personal property, pay to the Township Clerk a fee as prescribed by Resolution, and upon payment of such sum, he/she shall be entitled to apply for and receive a license which shall continue in favor of the person to whom it is issued for the period of 180 days from the day of issuance.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

2749-23

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 5.1 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(AUCTIONEERS-LICENSE REQUIRED)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 5.1 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 5.1 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 5.1 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-5.1 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “License Required” which specifies the fee for conducting an auction shall be repealed and replaced by the following language:

Every auctioneer shall obtain a license by filing an application as provided by this chapter. The fee for conducting each auction shall be prescribed by Resolution. The Township Council may waive this fee for an auction sponsored by a nonprofit organization upon proper application to the Township Council, who may so decide based upon information in the request submitted by such nonprofit organization.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

2750-23

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 6.4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 6.4 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 6.4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-6.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Issuance of License; Fee” which specifies fee included with regard to the issuance of a license to produce a theater as defined under the Township of West Orange Municipal Code shall be repealed and replaced by the following language:

If the reports of the Chief of Police and the Code Enforcement Officer are favorable, the Township Clerk shall issue the license immediately upon payment of the required license fee. The fee for a license to operate a motion picture theater shall be prescribed by Resolution. The fee for a play, concert, vaudeville or variety show shall also be prescribed by Resolution. In lieu of the foregoing fee, the producer of a play or show, or the operator of a theater in which such plays or shows are performed, may pay an annual license fee per year for theaters with a seating capacity of 500 and under, the amount of which as prescribed by Resolution, a separate fee as prescribed by Resolution for theaters with a seating capacity of 500 to 1,000 or a separate fee per year prescribed by Resolution for theaters with a seating capacity of 1,000 or more.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 7.2 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(PUBLIC DANCE HALLS AND PUBLIC DANCES-LICENSE REQUIRED; FEE)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 7.2 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 7.2 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 7.2 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-7.2 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “License Required; Fee” which specifies fee to be paid in accordance with conducting a public dance or public dance hall within the Township of West Orange shall be repealed and replaced by the following language:

No person shall conduct a public dance or dance hall within the Township without having first obtained either a public dance license or a dance hall license, whichever is appropriate, in the manner provided in this section.
The fee for a license shall be prescribed by Resolution.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

2752-23

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 8.3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(RETAIL FOOD ESTABLISHMENTS-FEES)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 8.3 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 8.3 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 8.3 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-8.3 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Fees” which specifies the yearly fee to be paid in accordance with retail food establishments located within the Township of West Orange shall be repealed and replaced by the following language:

The yearly license fees for retail food establishments shall be prescribed by Resolution and shall vary depending on the type of retail food establishment that seeks a permit.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED: May 2, 2023

ADOPTED: May 16, 2023

2753-23
Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 9.2 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(FOOD AND BEVERAGE VENDING MACHINES-PERMIT AND LICENSE FEES)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 9.2 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 9.2 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 9.2 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-9.2 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Permit and License Fees” which specifies the fee to be paid in accordance with operating a food and beverage machine within the Township of West Orange shall be repealed and replaced by the following language:

The annual fee for a permit or license under this section, which fee is to be collected by the Department of Health and Welfare, shall be prescribed by Resolution.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 12.10 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(JUKEBOXES)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 12.10 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 12.10 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 12.10 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-12.10 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Jukeboxes” which specifies the process for applying for a machine commonly known as a jukebox in a commercial establishment and prescribing a licensing fee for jukeboxes in the Township of West Orange shall be repealed and replaced by the following language:
 - a. Application of Regulation. This subsection shall apply to those machines located in commercial establishments which play music automatically upon the insertion of a coin, slug, token, plate, disc or key, and which are commonly known as jukeboxes.
 - b. License Required. No owner of a jukebox shall permit such machine to be used within the Township without first obtaining a license and paying the required fee for each machine.
 - c. Issuance of License. The Township Clerk shall issue licenses and collect license fees from owners of jukeboxes upon application being made on forms supplied by the Township Clerk and upon the payment of the requisite fee.
 - d. Fee. Owners shall pay a license fee prescribed by Resolution per machine per year at the time of applying for a license from the Township Clerk.
 - e. Penalty. For violation of any provision of this subsection, penalties shall be in accordance with Chapter 1, § 1-5.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED: May 2, 2023

ADOPTED: May 16, 2023

2755-23

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 12.5 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(MECHANICAL AND ELECTRONIC AMUSEMENT DEVICES:
LICENSE REQUIRED)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 12.5 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 12.5 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 12.5 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-12.5 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “License Fees” which specifies the fee to be paid in accordance with operating mechanical and electrical amusement devices in the Township of West Orange shall be repealed and replaced by the following language:
 - a.** The maximum number of mechanical amusement devices permitted in any one premises shall be five machines.
 - b.** Distributors of mechanical amusement devices shall be charged a fee prescribed by Resolution for each machine distributed as an annual license fee.
 - c.** Operators of mechanical amusement devices shall be charged a fee prescribed by resolution for each machine as an annual license fee. An operator who uses machines owned by him or her in his/her own place of business shall be charged only an operator's fee for each such machine, provided however, that he or she submit proof satisfactory to the Township Clerk that he or she is the actual owner of the machine or machines.
 - d.** In any licensed premises there shall be 50 square feet of operating area for each mechanical amusement device. The calculation of the operating area shall exclude any area of the premises which is used for other purposes but shall include access and walkways primarily serving the amusement device, provided however, that the maximum number of mechanical amusement devices permitted in any one premises shall be five machines

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED: May 2, 2023

ADOPTED: May 16, 2023

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 11.1 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(COIN OPERATING BUSINESS: LICENSE REQUIRED)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 11.1 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 11.1 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 11.1 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-11.1 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “License Required” which specifies the fee to be paid in accordance with operating a coin machine in the Township of West Orange shall be repealed and replaced by the following language:

No coin-operated business shall be permitted unless, upon written application, a license for its operation shall be obtained. In addition to the information required by Subsection 5-1.2, the application shall set forth the type of operation and the number of machines proposed to be operated. The application shall be accompanied by an annual fee prescribed by Resolution. The license shall be issued by the Township Clerk upon authorization of the Township Council.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

2757-23

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 10.4 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(OUTDOOR CAFES: FEES)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 10.4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 10.4 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 10.4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-10.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Outdoor Cafes-Fees” which specifies the fee to be paid in accordance with operating an outdoor café in the Township of West Orange shall be repealed and replaced by the following language:
 - a.** All applicants when submitting an application for an outdoor cafe license shall pay a nonrefundable application fee of to be prescribed by Resolution.
 - b.** Any successful applicant for an outdoor cafe which will be located on a public sidewalk or public easement shall pay an annual license fee to be prescribed by Resolution.
 - c.** Any successful applicant for an outdoor cafe which will be located on the property of an existing restaurant shall pay an annual license fee to be prescribed by Resolution for each outdoor seat.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

2759-23

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 13.2 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 13.2 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 13.2 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-13.2 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled "License Required; Fee" which specifies licensing requirements for operating a garage sale in the Township of West Orange shall be repealed and replaced by the following language:

It shall be unlawful for any person to conduct a garage sale in the Township without first filing with the Planning Department the information hereinafter specified and obtaining from the Planning Department, a license to do so, to be known as a "Garage Sale License." The fee for such license shall be fixed by Resolution.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 17.3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(DEALERS IN SECONDHAND JEWELRY AND PRECIOUS METALS: LICENSES
FEES; EXPIRATION OF LICENSE)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 17.3 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 17.3 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 17.3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-17.3 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “License Fees; Expiration of License” which specifies licensing requirements for dealers in secondhand jewelry and precious metals in the Township of West Orange shall be repealed and replaced by the following language:
 - a. Upon issuance of a license, the fee shall be based as follows:
 - 1. Permanent-based business: a yearly fee is required prescribed by Resolution.
 - 2. Itinerant business: a daily fee is required prescribed by Resolution..
 - b. A license issued under the provisions of this section shall not be transferable and shall terminate on December 31 of the year in which the license is issued.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 21.5 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(LICENSING OF CONTRACTORS; LICENSE FEES AND TERM)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 21.5 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 21.5 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 21.5 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-21.5 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “License Fees and Terms” which specifies the fees contractors who perform work in the Township of West Orange must pay shall be repealed and replaced by the following language:
 - a. Upon the filing of the application, the applicant shall pay to the Township a fee as prescribed by Resolution. A similar fee shall be paid upon the filing of an application for relicensing after revocation of a license previously issued.
 - b. The term of any license shall expire on December 31 of the calendar year in which it is issued and shall be renewed on January 1 of each year.
 - c. An application to renew such license shall be filed with the Construction Official in December of the year preceding that for which renewal is sought on a renewal form provided by the Township. There shall be an annual renewal fee as prescribed by Resolution and the criteria for renewal shall be the same as set forth in Subsection 5-21.4 hereof for the issuance of such license. Failure to renew any license on or before January 31 of the calendar year for which it is sought shall cause the license to lapse and any subsequent application shall be deemed to be an original application filed in accordance with the provisions hereof and shall require the payment of the appropriate fee.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 23.4 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(AMUSEMENT GAMES AND AGRICULTURAL FAIRS AND EXPOSITIONS;
RAFFLES)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 23.4 of the Revised General
Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 23.4 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 23.4 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-23.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “License Fees; Terms” which specifies the fees paid to the Township of West Orange to operate amusement games, agricultural fairs and expositions shall be repealed and replaced by the following language:
 - a. All licenses shall be issued for the term set forth therein but each license shall expire one year after the date of issuance.
 - b. There shall be a nonrefundable license fee prescribed by Resolution for each license issued for amusement games to be played at an Agricultural Fair and Exposition, but if the term of any Agricultural Fair and Exposition exceeds 30 days the nonrefundable license fee which is prescribed by Resolution.
 - c. There shall be a nonrefundable license fee prescribed by Resolution for each license issued for amusement games to be played at an Agricultural Fair and Exposition, but if the term of any Agricultural Fair and Exposition exceeds 30 days the nonrefundable license fee which is prescribed by Resolution.
 - d. Senior Citizen Special Bingo Permits shall be exempt from any fee imposed by the Township.
 - e. Bingo and Raffle Permits issued to the West Orange Board of Education shall be exempt from any fee imposed by the Township.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 25.4 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(MASSAGE BUSINESS; APPLICATION FEES)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 25.4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 25.4 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 25.4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-25.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Application Fees” which specifies the fees paid to the Township of West Orange for the operation of a massage parlor shall be repealed and replaced by the following language:

Every applicant for a permit to maintain, operate or conduct a massage establishment including out-call massage services shall file a complete application with the Township Health Department upon a form provided by said Township Health Department and pay an annual filing fee prescribed by Resolution:

- a. All fees are nonrefundable.
- b. To the extent an applicant has fully complied with the Home Occupation Ordinance as provided in Subsection 25-9.9 and paid the registration fee, the amount of this permit fee shall be reduced by the same amount.
- c. If at any time after the initial permit is granted additional massage practitioners begin providing services at the massage establishment, all of the information required herein must be submitted to the Health Department within 10 days and the additional fee paid with proof that the additional massage practitioner is duly licensed by the New Jersey Board of Massage and Bodywork Therapy pursuant to N.J.S.A. 45:11-73.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 24.5 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(NEWS VENDING MACHINES; CONDITIONS FOR PERMIT; HOLD HARMLESS
INSURANCE REQUIRED)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 24.5 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 24.5 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 24.5 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-24.5 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Conditions for Permit; Hold Harmless Insurance Required” which specifies the fees paid to the Township of West Orange for the installation and operation of news vending machines shall be repealed and replaced by the following language:
 - a. Permits may be issued for the installation of any news vending machine, but such machine and the installation, use or maintenance thereof shall be conditioned upon compliance with the provisions of this section. An annual permit fee prescribed by Resolution per machine is required. The amount of the fee may be amended by the Township at any time subsequent to the adoption of this section.
 - b. The permit shall be valid for a period of one year, on a calendar-year basis, commencing on January 1, and shall be prorated if the permit is issued effective subsequent to January 1.
 - c. No permit shall be issued or renewed unless the applicant(s) represents, stipulates, contracts and agrees to jointly and severally defend, indemnify and hold the Township harmless against liability for any and all claims for damage to property or injury to or death of persons arising out of or resulting from the issuance of the permit or the control, maintenance or ownership of any news vending machine.
 - d. Before a permit is issued the applicant must execute an indemnification agreement substantially as follows: "The applicant and any other persons, organizations, firms or corporations on whose behalf the application is made represents, stipulates, contracts and agrees that they do jointly and

severally defend, indemnify and hold harmless the Township of West Orange against liability for any and all claims for damage to property or injury to or death of persons arising out of or resulting from the issuance of the permit or the control, maintenance or ownership of any news vending machine.

e. Before the office of the Chief of Police may issue a permit to any person, that person shall file with the office of the Chief an insurance policy of a company duly licensed to transact business under the insurance laws of this State in the sum of \$500,000 for one person, and for more than one person, \$2,000,000, insuring against loss from liability imposed by law upon the distributor for damages on account of bodily injury or death suffered, and in the sum of \$50,000 against loss on account of property damage suffered by any person or persons as a result of an accident occurring by reason of the ownership, control or maintenance of the news vending machine permitted; and no permit shall continue effective unless such insurance, in the full and collectible amount of \$500,000 for one person and \$2,000,000 for more than one person for bodily injuries or death and \$50,000 for property damages, shall remain in force during the entire term of the permit. Such insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and control of such news vending machine or any fault in respect thereto and shall be for the benefit of any person suffering loss, damage or injury as aforesaid. The Township shall be a named additional insured in said policy

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

2764-23
Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 31.11 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(ALARM SYSTEMS; VIOLATIONS AND PENALTIES)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 31.11 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 31.11 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 31.11 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-31.11 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Violations and Penalties” which specifies the fine paid to the Township of West Orange if a person or business is found guilty of a violation of this section of the Township Municipal Code shall be repealed and replaced by the following language:

a. False Alarms.

1. For the first false alarm without satisfactory reason in any twelve-month period, a written warning shall be issued.
2. For the second false alarm without satisfactory reason in the same twelve-month period, a fine prescribed by Resolution shall be paid to the Township.
3. For the third or subsequent false alarm without satisfactory reason in the same twelve-month period, a fine prescribed by Resolution shall be paid to the Township.
4. When deciding to issue a summons for violations of this section, the emergency service worker should consider the time period between activations in order to allow the alarm subscriber time to effect repairs to the systems.

b. Other Violations and Penalties. Any person violating any of the provisions of this section, except as set forth in Subsection **a** above shall, for each offense, be liable to the penalty, upon conviction, as stated in Chapter 1, § 1-5. Each incident shall be considered a separate violation.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

2765-23

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 27.4 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(LICENSING AND REGISTRATION OF TREE CARE PROFESSIONALS)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5, Section 27.4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 27.4 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

II. CHAPTER 5, SECTION 27.4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§5-27.4 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Application for License and License Fee” which specifies the fees paid to the Township of West Orange by Qualified Tree Experts shall be repealed and replaced by the following language:

Applications for licensing pursuant to this section shall be made to the Department of Public Works under oath on a form furnished by the Township. Upon the filing of the application, the applicant shall pay to the Township a fee prescribed by Resolution. The application shall set forth the following information:

- a. The applicant’s name, business name and business address.
- b. Whether the applicant is an individual, a partnership or corporation.
- c. If the applicant is an individual, the applicant's resident address.
- d. If the applicant is a partnership, the names of the partners and their respective residence addresses.
- e. If the applicant is a corporation or other entity, the names of all corporate officers and all stockholders who possess more than 10% of its stock, the name and address of the registered agent and the address of the principal office of the corporation.
- f. Whether the applicant or any partners or officers thereof have ever been convicted of a crime, and if so, the name of the person convicted, the date of conviction, the crime or charge involved and the disposition thereof.
- g. Whether the applicant or any partner, shareholder or officer has been named in a complaint to the State or County, the Division of Consumer

Affairs, the Better Business Bureau or any other similar agency and the disposition of such a complaint.

h. Whether the applicant or any partner, shareholder or officer has been named party defendant in a civil suit for any reason related to his or her work as contractor or subcontractor as defined above and the disposition of such litigation.

i. The number of years the applicant has been in business at its present business address and all prior locations.

j. Evidence of state licensure under the Tree Expert and Tree Care Operator Licensing Act, N.J.S.A. 45:15C-11 et. seq.

k. Acknowledgment and certification that the applicant has reviewed Chapter 25, § 25-27 of the Revised General Ordinances of the Township of West Orange Township.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 32.6 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(POLICE REQUESTED TOWING AND STORAGE SERVICES; FEES)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 32.6 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 32.6 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 32.6 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-32.6 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Fees” which specifies the fee for a person or business operating and/or performing towing services in the Township Municipal Code shall be repealed and replaced by the following language:

There shall be a nonrefundable application fee prescribed by Resolution payable with the submission of any application for a license.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED: May 2, 2023

ADOPTED: May 16, 2023

2767-23
Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 33.6 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(LICENSING FOR “SHOP LOCAL” REWARD PROGRAMS; APPLICATION AND
LICENSE FEES)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 33.6 of the Revised General
Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 33.6 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 33.6 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-33.6 BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Application and License Fees” which specifies the application fee for a person or business seeking to apply to operate and administer a Shop Local Program in the Township of West Orange shall be repealed and replaced by the following language:
 - a.** Application Fee. In order to submit an application for a license pursuant to this section, the applicant shall remit a nonrefundable application fee in an amount prescribed by Resolution to the Township Clerk. This application fee shall not apply to applications for license renewals.
 - b.** License Fee. The applicant shall remit a fee prescribed by Resolution for the initial two-year term of its license. If the license is renewed for subsequent three year term(s) in accordance with Subsection 5-33.5, the applicant shall pay to the Township a nonrefundable license fee in an amount prescribed by Resolution.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

2768-23
Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 15.3 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(DISTRIBUTION OF PAPERS AND OTHER PRINTED MATERIALS)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Chapter 5, Section 15.3 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the fines set forth in Chapter 5, Section 15.3 of the Revised General Ordinances of the Township of West Orange to be amendable by Resolution such that it is amendable in the future by approval of the Township Council, a necessity in an everchanging socioeconomic climate.

**II. CHAPTER 5, SECTION 15.3 SHALL BE AND HEREBY IS AMENDED AND
SUPPLEMENTED TO INCORPORATE THE FOLLOWING:**

§5-15.3BE AND HEREBY AMENDED AS FOLLOWS:

- The portion entitled “Issuance of License; Fee” which specifies licensing requirements for the distribution of papers and other printed materials in the Township of West Orange shall be repealed and replaced by the following language:

A license shall be issued by the Township Clerk, pursuant to the general licensing procedures contained in § 5-1 of the General Ordinances of the Township of West Orange, on the payment of a fee in an amount prescribed by Resolution for each day, for each person to whom a license is issued. The Township Clerk shall endorse on each license the amount of the fee and the dates on which the license shall be valid.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**TAMMY WILLIAMS,
COUNCIL PRESIDENT**

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

INTRODUCED:

ADOPTED:

Legislative History

The purpose of this ordinance is to modify the fines set forth in Chapter 5 of the Revised General Ordinances of the Township of West Orange to be subject to adjustment by Resolution.

**TOWNSHIP OF WEST ORANGE
COUNTY OF ESSEX, STATE OF NEW JERSEY**

BOND ORDINANCE NUMBER 2771-23

**BOND ORDINANCE PROVIDING FOR VARIOUS 2023
CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF
WEST ORANGE, IN THE COUNTY OF ESSEX, STATE OF
NEW JERSEY, APPROPRIATING \$6,000,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$5,714,285 BONDS
OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE
COST THEREOF**

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken by the Township of West Orange, in the County of Essex, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the amount of \$6,000,000, said amount being inclusive of a down payment in the amount of \$285,715 now available for said improvements or purposes as required by the Local Bond Law of the State of New Jersey, as amended and supplemented (N.J.S.A. §40A:2-1 et seq.) (the "Local Bond Law"), by virtue of an appropriation from the Township's Capital Improvement Fund for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet part of said \$6,000,000 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the

Township are hereby authorized to be issued in the aggregate principal amount of \$5,714,285 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$5,714,285 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, as follows:

Description	Appropriation	Authorization	Down Payment	Useful Life
(i) Various roadway and sanitary improvements and repairs to Wheeler Street within the Township, including, but not limited to, the replacement of 18" sewer, milling, paving, storm drain installation, curbs, sidewalks, ADA compliant ramps, and driveway aprons;	\$ 700,000	\$ 666,667	\$ 33,333	20 years
(ii) Improvements and repairs to various streets and roads within the Township, including, but not limited to, all or a portion of, as applicable, Ashwood Terrace and William Street, including, but not limited to, as applicable, milling, paving, storm drain installation, curbs, sidewalks, ADA compliant ramps, and driveway aprons;	\$ 1,000,000	\$ 952,381	\$ 47,619	10 years
(iii) Improvements and repairs to various streets and roads within the Township, including, but not limited to, Valley Road (from Freeman Street to Kingsley Street), including, but not limited to, as applicable, milling, paving, storm drain installation, curbs, sidewalks, ADA compliant ramps, and driveway aprons;	\$ 300,000	\$ 285,714	\$ 14,286	10 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(iv) Improvements and repairs to various streets and roads with the Township, including, but not limited to, Nance Road, Warren Road, and King Road, including, but not limited to, as applicable, milling, paving, storm drain installation, curbs, sidewalks, ADA compliant ramps, and driveway aprons; and	\$ 1,500,000	\$ 1,428,571	\$ 71,429	10 years
(v) Phase 2 improvements and repairs to various streets and roads with the Township, including but not limited to, all or a portion of, as applicable, Valley Way, Maple Street, Hoover Avenue, Cleveland Terrace, Lincoln Avenue, Mount Pleasant Avenue, Lancaster Terrace, Normandy Terrace, Manchester Road, and Chestnut Road, including, but not limited to, as applicable, milling, paving, storm drain installation, curbs, sidewalks, ADA compliant ramps, and driveway aprons.	\$ 2,500,000	\$ 2,380,952	\$ 119,048	10 years
TOTALS:	<u>\$ 6,000,000</u>	<u>\$ 5,714,285</u>	<u>\$ 285,715</u>	

(b) The improvements and purposes set forth in Section 3(a) above shall also include, as applicable, all engineering and design work, surveying, construction management services, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental testing and remediation, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued by the Township for said improvements and purposes is \$5,714,285.

(d) The estimated cost of said improvements and purposes to the Township is \$6,000,000, the excess amount thereof over the estimated maximum amount

of bonds or notes to be issued therefor is the down payment in the amount of \$285,715 now available for said improvements and purposes from the Township's Capital Improvement Fund.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Essex make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Essex. In the event that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Essex shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. 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 (1) 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 the notes issued pursuant to this bond 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 in

accordance with the provisions of N.J.S.A. § 40A:2-8.1 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 a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget of the Township, as applicable. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements and purposes described in Section 3 of this bond ordinance are not current expenses and are improvements and purposes which the Township may lawfully undertake as general improvements and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes, computed on the basis of the respective amounts of obligations authorized for

each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, is 11 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and 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 or notes provided for in this bond ordinance by \$5,714,285. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An amount not exceeding \$900,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes and improvements described in Section 3 hereof.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure toward

the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulation §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of the obligations of the Township authorized herein and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of the obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication of this bond ordinance after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: May 16, 2023**

**KAREN J. CARNEVALE, Clerk
Township of West Orange**

**TAMMY WILLIAMS,
Council President
Township of West Orange**

**ADOPTED ON SECOND READING
DATED: June 13, 2023**

**KAREN J. CARNEVALE, Clerk
Township of West Orange**

**TAMMY WILLIAMS,
Council President
Township of West Orange**

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2023.

**SUSAN MCCARTNEY, Mayor
Township of West Orange**

**TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE
IN THE COUNTY OF ESSEX, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township") on May 16, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body of the Township to be held at the Township Municipal Building, 66 Main Street, West Orange, New Jersey, in said County, on June 13, 2023 at 7:00 p.m. During the week prior to and up to and including the date of such meeting, copies of the full bond ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title:	BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, APPROPRIATING \$6,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,714,285 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
Purpose(s):	The bond ordinance authorizes various 2023 capital improvements, including, but not limited to, (i) the replacement of an 18" sewer on Wheeler Street and roadway and sanitary improvements related thereto; and (ii) improvements and repairs to various streets and roads with the Township, including but not limited to, all or a portion of, as applicable, Wheeler Street, Ashwood Terrace, William Street, Valley Road, Nance Road, Warren Road, King Road, Valley Way, Maple Street, Hoover Avenue, Cleveland Terrace, Lincoln Avenue, Mount Pleasant Avenue, Lancaster Terrace, Normandy Terrace, Manchester Road, and Chestnut Road, including, but not limited to, as applicable, milling, paving, storm drain installation, curbs, sidewalks, ADA compliant ramps, and driveway aprons. Please refer to the full bond ordinance for a more complete description of the improvements and purposes of the bond ordinance.
Appropriation:	\$6,000,000
Bonds/Notes Authorized:	\$5,714,285
Down Payment:	\$285,715
Section 20 Costs:	\$900,000
Useful Life:	11 years

**KAREN J. CARNEVALE,
Clerk of the Township of West Orange**

**TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE
IN THE COUNTY OF ESSEX, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF BOND ORDINANCE ADOPTION AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township") on June 13, 2023 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title:	BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, APPROPRIATING \$6,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,714,285 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
Purpose(s):	The bond ordinance authorizes various 2023 capital improvements, including, but not limited to, (i) the replacement of an 18" sewer on Wheeler Street and roadway and sanitary improvements related thereto; and (ii) improvements and repairs to various streets and roads with the Township, including but not limited to, all or a portion of, as applicable, Wheeler Street, Ashwood Terrace, William Street, Valley Road, Nance Road, Warren Road, King Road, Valley Way, Maple Street, Hoover Avenue, Cleveland Terrace, Lincoln Avenue, Mount Pleasant Avenue, Lancaster Terrace, Normandy Terrace, Manchester Road, and Chestnut Road, including, but not limited to, as applicable, milling, paving, storm drain installation, curbs, sidewalks, ADA compliant ramps, and driveway aprons. Please refer to the full bond ordinance for a more complete description of the improvements and purposes of the bond ordinance.
Appropriation:	\$6,000,000
Bonds/Notes Authorized:	\$5,714,285
Down Payment:	\$285,715
Section 20 Costs:	\$900,000
Useful Life:	11 years

**KAREN J. CARNEVALE,
Clerk of the Township of West Orange**

**TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE
IN THE COUNTY OF ESSEX, NEW JERSEY**

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Council of the Township duly called and held on May 16, 2023 at 7:00 p.m. at the Township Municipal Building, 66 Main Street, West Orange, New Jersey and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body of the Township and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Township as of this _____ day of _____, 2023.

(SEAL)

**KAREN J. CARNEVALE,
Clerk of the Township of West Orange**

**TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE
IN THE COUNTY OF ESSEX, NEW JERSEY**

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a regular meeting of the Township Council of the Township duly called and held on June 13, 2023 at 7:00 p.m. at the Township Municipal Building, 66 Main Street, West Orange, New Jersey and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Township as of this _____ day of _____, 2023.

(SEAL)

**KAREN J. CARNEVALE,
Clerk of the Township of West Orange**

**TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE
IN THE COUNTY OF ESSEX, NEW JERSEY**

CLERK'S CERTIFICATE AS TO ADOPTION OF BOND ORDINANCE

I, KAREN J. CARNEVALE, DO HEREBY CERTIFY that I am the Clerk of the Township of West Orange, in the County of Essex (the "Township"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Township. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Township and the records relative to all resolutions and ordinances of the Township. The representations made herein are based upon the records of the Township. I DO HEREBY FURTHER CERTIFY THAT:

(1) Attached hereto is the bond ordinance introduced on May 16, 2023 and finally adopted on June 13, 2023 by the Township Council of the Township and approved by the Mayor on _____, 2023.

(2) After introduction, the bond ordinance was published as required by law on _____, 2023 in _____ (insert name of newspaper).

(3) Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Township at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Township who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body of the Township. Copies of the bond ordinance were made available to all who requested same.

(4) After final passage, the bond ordinance was duly approved by the Mayor on _____, 2023 and was duly published as required by law on _____, 2023 in _____(insert name of newspaper). No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body of the Township or to me or filed in my office within twenty (20) days after said publication or at any other time after the final passage thereof.

(5) The bond ordinance has not been amended, added to, altered or repealed and said bond ordinance is now in full force and effect.

(6) A certified copy of the bond ordinance and a copy of the amended capital or temporary capital budget form have been filed with the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, as applicable.

(7) The official seal of the Township is affixed, imprinted or reproduced opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed, imprinted or reproduced the official seal of the Township as of this _____ day of _____, 2023.

(SEAL)

KAREN J. CARNEVALE,
Clerk of the Township of West Orange

**TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE
IN THE COUNTY OF ESSEX, NEW JERSEY**

**CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT
FOR BOND ORDINANCE**

I, the undersigned Clerk of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township"), DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by John Gross, the Chief Financial Officer of the Township, as of May 16, 2023, that such Supplemental Debt Statement was filed in my office on or prior to May 16, 2023 and with the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs on _____, 2023.

**KAREN J. CARNEVALE,
Clerk of the Township of West Orange**

DOWN PAYMENT CERTIFICATE

I, the undersigned Chief Financial Officer of the Township of West Orange, in the County of Essex, State of New Jersey (the "Township"), DO HEREBY CERTIFY that prior to final adoption of the bond ordinance entitled,

"BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, APPROPRIATING \$6,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,714,285 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF"

there was available as a down payment for the improvements or purposes authorized by said bond ordinance the amount of \$285,715, which amount was made available by virtue of an appropriation from the Township's Capital Improvement Fund for down payment or capital improvement purposes in a previously adopted budget or budgets of the Township.

IN WITNESS WHEREOF, I have hereunto set my hand on behalf of the Township as of this ____ day of _____, 2023.

JOHN GROSS,
Chief Financial Officer

AN ORDINANCE AMENDING CHAPTER 5, SECTION 34.2, SECTION 34.3, SECTION 34.4, SECTION 34.5, SECTION 34.6, SECTION 34.8 AND CHAPTER 25, SECTION 24.2 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE

(LICENSED CANNABIS ENTITIES)

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 5 and Chapter 25 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to update the provision of the Municipal Code of the Township of West Orange governing the local licensing requirements and zoning conditions for Licensed Cannabis Entities within the Township of West Orange to: (i) clarify that it shall be unlawful for any individual or entity to distribute cannabis or cannabis products that do not have a license from the New Jersey Cannabis Regulatory Commission and a local license from the Township of West Orange, including any gifting of cannabis or cannabis produce; (ii) update and amend the total number of local licenses allowable Licensed Cannabis Entities (iii) require approval from the Township for any changes in ownership of a License Cannabis Entity; (iv) provide that all Licensed Cannabis Entities holding a local license, must submit a renewal application not less than sixty (60) days before the expiration of the local license; (v) extend the existing distance from the property line of any property with a school building for which the operation of a Cannabis Entity is prohibited from 100 feet (100') to 500 feet (500'); (vi) add an additional condition whereby a Cannabis Entity shall not be allowed to operate within 500 feet (500') from the property line of any property with a house of worship; (vii) clarify the parking requirements for Licensed Cannabis Entities; and (viii) provide reference to the Township Municipal Code provisions governing the standards and criteria for commercial signage for Cannabis Entities. This ordinance also provides for certain exemptions to Applicants for a Local License who have received a resolution of Local Support from the Township prior to January 10, 2023.

II. CHAPTER 5, SECTION 34.2 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

5-34.2 Definitions.

For the purpose of this section, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Pre-Approved Entities means Applicant(s) who have: (i) received a Resolution of Local Support from the Township on or before January 10, 2023; and (ii) receives a license from the Commission on or before January 10, 2024.

Stakeholders means all shareholders, partners, convertible debt holders and option holders of a

corporation, partnership and/or other single or multiple member business enterprise or other entity.

III. CHAPTER 5, SECTION 34.3 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

5-34.3 Local License Required; Violations and Penalties.

It shall be unlawful for any individual or entity to distribute cannabis or cannabis products except for a Licensed Cannabis Entity acting within the scope of a license issued by both the Commission and within the scope of a Local License in accord with this section.

Pursuant to N.J.S.A. 24:6I-45 (c)(2) of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, no Licensed Cannabis Entity shall be allowed to operate within the Township of West Orange until such person or entity shall be licensed and registered in accord with this section. For violation of any provision of this subsection, penalties shall be in accordance with Chapter 1, § 1-5.

IV. CHAPTER 5, SECTION 34.4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

5-34.4 Local License Standards and Limitations.

- a. The Township may approve or deny an application for a Local License to operate a License Cannabis Entity at its sole discretion, consistent with all governing State Law, based on an evaluation of the benefits compared to the potential harm of the prospective licensee's operation of a Licensed Cannabis Entity as proposed in the prospective licensee's application for a Local License.
- b. The number of Licensed Cannabis Entities holding a Local Licenses shall be limited to a combined total of four (4) irrespective of the categories of Licensed Cannabis Entities. This cap shall be inclusive of all Local Licenses issued to Targeted Microbusinesses.. This cap of four (4) Licensed Cannabis Entities with Local Licenses may be increased to allow a Pre-Approved Entity to move forward.

V. CHAPTER 5, SECTION 34.5 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

5-34.5 Application for Local License and Local License Fee.

- a. Applications for licensing pursuant to this section shall be submitted to the Office of the Township Clerk under oath on a form furnished by the Township. Upon the filing of the application, the Applicant shall pay to the Township an application fee in an amount to be established by resolution of the Township Council. Applicants shall also submit a copy of the application, except for the transmission of the requirements set forth in subsection

(b)(4)(a) of this provision, to: (i) the Board of Education; (ii) the Township Zoning Officer; (iii) the Health Department; (iv) the Township Fire Chief; and (v) the Special Improvement District, if the proposed location is within the Special Improvement District. Applicants shall also submit a Certification of Service certifying that the Application has been submitted to each of these departments and/or bodies in accordance herewith. The Office of the Township Clerk shall then transmit the application to the Office of Police Chief for the West Orange Police Department or the Chief's designee for review of the application. All departments and/or bodies receiving the application shall review the application and forward their comments to the Police Chief for the West Orange Police Department or the Chief's designee no later than fourteen (14) days from submission of the application.

b. The application shall require submission of the following information:

1. The name and home address of the Applicant. If the Applicant is not a natural person, the Applicant shall submit a statement setting forth the names and home addresses of all Stakeholders in the Applicant. All such Stakeholders who are not themselves natural persons shall list the names and home addresses of the Stakeholders of that entity. The disclosure shall continue until the names and home addresses of every natural person that is a Stakeholder of the Applicant whether directly or indirectly is provided.
2. The name of any other business entities in which any of the individuals identified pursuant to subsection (b)(1) of this provision have or have had an ownership interest which: (i) cultivates, manufactures, wholesales or dispenses cannabis or cannabis products; (ii) invests or finances in any such entity; or (iii) is regulated by any governmental entity.
3. A copy of the license issued by the Commission authorizing the Applicant to operate as a Licensed Cannabis Entity with a copy of all application materials and documents submitted to the Commission for a license.
4. Plans prepared by a duly licensed architect, engineer, or planner which shall depict the layout and design for the proposed location of the Licensed Cannabis Entity within the Township.

(a). The required plans shall depict the proposed security measures for the location in order for the West Orange Police Department to evaluate the sufficiency of the security measures as required under this section. The plans shall be deemed confidential and shall only be transmitted to the Police Chief for the West Orange Police Department or the Chief's designee.

(b). The Applicant shall also provide either a lease agreement or agreement of sale for the property where the Applicant intends to operate the Licensed Cannabis Entity. The lease agreement or agreement to purchase must be executed by the owner of the property where the Applicant intends to operate the Licensed Cannabis Entity. The

- lease agreement or agreement of sale may be contingent upon the Applicant's ability to successfully: (i) obtain a Local License; and (ii) if applicable, obtain approval from the West Orange Planning Board or the West Orange Zoning Board of Adjustment. No property owner may execute a lease agreement or agreement to purchase for more than one entity at the proposed location and shall notify the Township Clerk in writing of any termination and/or expiration of the lease agreement or agreement to purchase no later than five (5) days of such termination or expiration.
5. Upon termination or expiration of the lease agreement, the Licensed Cannabis Entity must cease all operations.
 6. Acknowledgment and agreement authorizing the West Orange Police Department to perform background checks and/or investigations regarding any individuals disclosed pursuant to subsection (b)(1) of this provision and any employees of the Applicant.
 7. If the Applicant is applying for a Local License as a Targeted Microbusiness, a copy of any and all documents issued by the Commission declaring the Applicant as microbusiness under the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act with a copy of all application materials and documents submitted to the Commission for such a declaration.
- c. The Police Chief for the West Orange Police Department or the Chief's designee shall review the application, review the comments from the departments provided pursuant to subsection (a) of this provision, and prepare a memorandum addressed to the Township Council: (i) analyzing the Applicant's ability to comply with all of the Township's requirements for a Licensed Cannabis Entity, including the required security measures; (ii) assessing the benefits compared to the potential harm of the Applicant's proposed operation of a Licensed Cannabis Entity; and (iii) recommending whether to grant or deny the application for a Local License. The Police Chief or the Chief's designee shall transmit the memorandum to the Office of the Township Clerk.
 - d. Within sixty (60) days from the transmission of the memorandum to the Office of the Township Clerk, the Township Council shall adopt a resolution either granting the application or denying the application. The Township Council's failure to adopt a resolution within the sixty (60) day period shall be deemed a denial of the application.

VI. CHAPTER 5, SECTION 34.6 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

5-34.6 License Term, Transferability, and Renewal.

- a. All licenses shall be issued for the term of one_year(s) and shall expire one year(s) after the date of issuance.
- b. Licenses shall not be transferable, assignable, or divisible.

- c. Any change in ownership subject to disclosure under Chapter 5, Section 34.5(b)(1) of the Township of West Orange Municipal Code shall be subject to approval by the Township of West Orange by written notice to the Licensed Cannabis Entity within two (2) weeks. If approval is not received, the Licensed Cannabis Entity shall cease all operations.
- d. All Licensed Cannabis Entities shall submit their applications for renewal no later than sixty (60) days before the expiration of the license. The Township shall approve or deny the Applicant's renewal application by written notice within thirty (30) days. If approval is not received, or if the Licensed Cannabis Entity did not submit their application in a timely fashion, the Licensed Cannabis Entity shall cease all operations.

VII. CHAPTER 5, SECTION 34.8 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

5-34.8 Operating Requirements and Prohibitions.

- a. A Licensed Cannabis Entity may only operate from the hours of 8:00 A.M. through 7:00 P.M.
- b. No persons under the age of twenty-one (21) shall be allowed in a Licensed Cannabis Establishment no person under the age of eighteen (18) shall be allowed in a Licensed Medical Marijuana Facility.
- c. The sale or consumption of alcohol at a Licensed Cannabis Entity shall be prohibited.
- d. Cannabis Consumption Areas, as defined in the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:6I-31, et. seq., shall be prohibited.
- e. A Licensed Cannabis Entity shall be secured and have full-time security protocols in place subject to review and approval from the West Orange Police Department which shall include at least a twenty-four (24) hour security video system with footage to be kept for at least thirty (30) days and a vault for storage of money when the Licensed Cannabis Entity is closed. Prior to the commencement of any operations, a Licensed Cannabis Entity must first obtain from the Police Chief, or designee, written approval of the Licensed Cannabis Entity's security protocols. The Police Chief, or designee, shall have the authority to require additional safety and security measures.
- f. A Licensed Cannabis Retail and a Licensed Medical Cannabis Dispensary shall have no less than one (1) on-site parking space for every 250 square feet (250') of space being utilized by the Licensed Cannabis Retail or Licensed Medical Cannabis Dispensary.

VIII. CHAPTER 25, SECTION 24.2 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

25-24.2 Conditional Uses.

- b. Specific Requirements.** Subject to the stipulations, guiding principles and conditions contained in this section, the Planning Board shall have the power to grant conditional uses authorized by the Table of District Regulations, in specified districts, as follows:

2. Business and Industrial Districts.

(o) **Licensed Cannabis Entities.** Licensed Cannabis Retailers and Licensed Medical Cannabis Dispensaries shall be permitted as a conditional use in the B-1, B-2, and I Districts. All other Licensed Cannabis Entities shall be permitted as a conditional use in the I Districts. These conditional uses shall be subject to the following conditions:

- (1) The Licensed Cannabis Entity shall be required to have a Local License pursuant to Chapter 5, Section 34 of the Township of West Orange Municipal Code.
- (2) No Licensed Cannabis Entity, except a Pre-Approved Entity at its originally approved location, shall be located within five hundred feet (500') of the property line of any property with any school building.
- (3) No Licensed Cannabis Entity, except a Pre-Approved Entity at its originally approved location, shall be located within 500 feet (500') from the property line of any property with a House of Worship, as defined under Chapter 25, Section 4.
- (4) All Licensed Cannabis Entities shall comply with the following Parking Requirements for Nonresidential Uses: (i) Licensed Cannabis Retailers shall comply with the minimum required number of parking spaces for Retail Stores and personal services stores or studios not separately listed; and (ii) all other Licensed Cannabis Entities shall comply with the minimum required number of parking spaces for Light industrial, laboratory and research use.
- (5) No Licensed Cannabis Entity shall be housed in a vehicle or any movable or mobile structure.
- (6) No Licensed Cannabis Entity shall be allowed to operate as a Home Occupation.
- (7) Any signage for a Licensed Cannabis Entity shall be subject to the approval from either the Planning Board or the Zoning Board of Adjustment under the guidelines and standards governing commercial signs as set forth within the Township Municipal Code.
- (8) A Licensed Cannabis Entity shall meet all of the required security measures as set forth in Chapter 5, Section 34 of the Township of West Orange Municipal Code.
- (9) Cannabis Consumption Areas, as defined in the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:6I-31, et. seq., shall be prohibited from all Licensed Cannabis Entities.

IX. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

X. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

XI. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN McCARTNEY, MAYOR

**TAMMY WILLIAMS
COUNCIL PRESIDENT**

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

INTRODUCED: May 16, 2023

ADOPTED:

2772-23
Legislative History

The purpose of this ordinance is to update the provision of the Municipal Code of the Township of West Orange governing the local licensing requirements and zoning conditions for Licensed Cannabis Entities within the Township of West Orange to: (i) clarify that it shall be unlawful for any individual or entity to distribute cannabis or cannabis products that do not have a license from the New Jersey Cannabis Regulatory Commission and a local license from the Township of West Orange, including any gifting of cannabis or cannabis produce; (ii) update and amend the total number of local licenses allowable Licensed Cannabis Entities (iii) require approval from the Township for any changes in ownership of a License Cannabis Entity; (iv) provide that all Licensed Cannabis Entities holding a local license, must submit a renewal application not less than sixty (60) days before the expiration of the local license; (v) extend the existing distance from the property line of any property with a school building for which the operation of a Cannabis Entity is prohibited from 100 feet (100') to 500 feet (500'); (vi) add an additional condition whereby a Cannabis Entity shall not be allowed to operate within 500 feet (500') from the property line of any property with a house of worship; (vii) clarify the parking requirements for Licensed Cannabis Entities; and (viii) provide reference to the Township Municipal Code provisions governing the standards and criteria for commercial signage for Cannabis Entities. This ordinance also provides for certain exemptions to Applicants for a Local License who have received a resolution of Local Support from the Township prior to January 10, 2023.

**AN ORDINANCE AMENDING CHAPTER 2, SECTIONS 8.1 and SECTION 8.7 OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE
(DEPARTMENT OF ADMINISTRATION AND FINANCE; DEPARTMENT GENERALLY;
DIVISION OF ACCOUNTS AND CONTROL)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 2, Section 8.1 AND Section 8.7 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

- I. PURPOSE The purpose of this ordinance is to clarify the responsibilities and chain of command for the Township Comptroller, specifically with respect to N.J.S.A. 40:69A-48.
- II. CHAPTER 2, SECTION 8.1 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§ 2-8 DEPARTMENT OF ADMINISTRATION AND FINANCE.

§ 2-8.1 Department Generally.

[1972 Code § 2-5.1; Ord. No. 2329-11 § I]

There shall be a Department of Administration and Finance. Within the Department of Administration and Finance there shall be a Division of Administration, a Division of Purchasing, a Division of Personnel, a Division of Treasury, a Division of Collections, a Division of Assessments and a Division of Accounts and Control. The Business Administrator shall serve as the Director of the Division of Administration, the Division of Personnel and the Division of Assessments, without additional compensation. The Chief Financial Officer shall ~~serve as the Director of Finance supervising and directing~~ **supervise and direct** the Division of Purchasing, the Division of Treasury, **and** the Division of Collections ~~and the Division of Accounts and Control~~, without additional compensation, under the supervision and direction of the Business Administrator. The Business Administrator may designate a member of the Department of Administration and Finance or any Department Director to act as Assistant Administrator in his/her absence as he/she may direct, and to perform such other duties as may be assigned, without additional compensation.

- III. CHAPTER 2, SECTION 8.1 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§ 2-8.7 Division of Accounts and Control.

[1972 Code § 2-5.8; Ord. No. 2329-11 § I]

Within the Department of Administration and Finance there shall be a Division of Accounts and Control, the head of which shall be the Township Comptroller, ~~who shall be the Chief Financial Officer~~. The Comptroller shall, prior to his or her appointment, be qualified by at least five years' training or experience or a combination thereof in governmental accounting and financial control. **The Comptroller shall exercise of the control function in the management of the finances of the Township as required**

by N.J.S.A. 40:69A-48 and shall be supervised directly by the Mayor. The Accounts and Control Division shall:

- a. Develop, maintain and enforce a uniform system of accounts, including forms, standards and procedures for all Departments of the Township government including the collection of any and all required economic data required for the efficient and effective operation of the Departments.
- b. Maintain and operate the Township's central bookkeeping and accounting records according to sound accounting principles, and in accordance with the requirements of the Director of the State Division of Local Finance.
- c. Install and provide such records and reports as may be prescribed or approved by the Business Administrator for the determination of the cost of performance of each functional program or activity, measured in such work units as may be appropriate thereto.
- d. Audit all receipts and disbursements of the Township government and of each of its departments and pre-audit all bills, claims and demands against the Township, including payrolls.
- e. Control all expenditures to assure that budget appropriations are not exceeded, and maintain such books and records as may be required for the proper exercise of such budgetary control, including an encumbrance system of budget operation.
- f. Review each proposed expenditure and commitment to be made on behalf of any department for conformity with State law, the Charter and ordinances of the Township, and authorize only such expenditures and commitments as conform with all the requirements of the Administrative Code.
- g. Supervise the administration of the Township debt and the receipt and delivery of Township bonds and notes for transfer, regulation or exchange.

- IV. REPEAL OF CONFLICTING ORDINANCES Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.
- V. SEVERABILITY If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.
- VI. EFFECTIVE DATE This Ordinance shall take effect upon final passage and publication in accordance with the law.

Karen J. Carnevale, R.M.C.

Susan McCartney, Mayor

Tammy Williams, Council President

Introduced: May 16, 2023

Adopted: , 2023