

1. Conference Agenda

Documents:

[CA 6.25.24.PDF](#)

2. Public Meeting Agenda

Documents:

[PM 6.25.24.PDF](#)

3. Resolution(S)

3.I. 191-24

Documents:

[191-24 RESOLUTION FOR ABANDONED CAR AUCTION 06.25.2024.PDF](#)

3.II. 192-24

Documents:

[192-24 AUTHORIZING PROFESSIONAL SERVICES AGREEMENT -
CONSULTANT PUBLIC HEALTH NURSE SUPERVISOR SERVICES-
COURTNEY REINISCH - 2024.PDF](#)
[192-24 AGREEMENT WITH COURTNEY REINISCH FOR APPOINTMENT AS
CONSULTANT PUBLIC HEALTH NURSE SUPERVISOR - 2024.PDF](#)

3.III. 193-24

Documents:

[193-24 AWARD OF CONTRACT EXTENSION FOR SNOW PLOWING 2024-
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3.V. 195-24

Documents:

[195-24 RESOLUTION FOR EXTENSION OF SNOW REMOVAL SERVICES
2024-2025 SIDEWALKS PATH.PDF](#)
[195-24 ATTACHMENT.PDF](#)

3.VI. 196-24

Documents:

[196-24 RESOLUTION TO AWARD A AN EXTENSION OF CONTRACT SNOW
PLOWING 2024-2025.PDF](#)
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3.VII. 197-24

Documents:

[197-24 RESOLUTION EMERGENCY STORM SEWER REPAIR - 71 SEAMAN
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[197-24 INVOICE.PDF](#)

3.VIII. 198-24

Documents:

[198-24 RESOLUTION - DISPOSAL OF SHELVING.PDF](#)

3.IX. 199-24

Documents:

[199-24 FY2025 MUNICIPAL AID- RESOLUTION-WEST ORANGE.PDF](#)

3.X. 200-24

Documents:

[200-24 RESOLUTION AUTHORIZING AWARD OF PROFESSIONAL
SERVICES AGREEMENT FOR NDS FOR CANCER SCREENING FOR WO
FIRE DEPARTMENT.PDF](#)
[200-24 AGREEMENT.PDF](#)

3.XI. 201-24

Documents:

[201-24 RESOLUTION AUTHORIZING AWARD OF PROFESSIONAL
SERVICES AGREEMENT FOR MICHAEL KELLY FOR CANCER
SCREENING FOR WO FIRE DEPARTMENT.PDF](#)
[201-24 AGREEMENT.PDF](#)

3.XII. 202-24

Documents:

[202-24 EXECUTIVE SESSION 6.25.24.PDF](#)

4. Ordinance(S) On Second And Final Reading

4.I. 2857-24

Documents:

[2857-24 ORDINANCE - NO STOP STAND PVW AT WESSMAN 6.4.24.PDF](#)

4.II. 2858-24

Documents:

[2858-24 ORDINANCE - MOVING BUS STOPS AT ROOSEVELT MIDDLE SCHOOL.PDF](#)

5. Ordinance(S) On First Reading

5.I. 2859-24

Documents:

[2859-24 ORDINANCE- CHAPTER 7 RESTRICTED PARKING ZONES HC PARKING.PDF](#)

5.II. 2860-24-DUPLICATE

5.III. 2861-24

Documents:

[2861-24 ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20 SECTIONS 1.1 ET SEQ.-SMG REVISED 6.18.24.PDF](#)

5.IV. 2862-24

Documents:

[2862-24 ORDINANCE AMENDING THE AMENDED TREE REMOVAL ORDINANCE-EFFECTIVE DATE \(6.18.24\).PDF](#)

6. ABC Matters

6.I. 742-24

Documents:

[742-24 FAN AND JADE, INC. \(POCKET\) 0722-33-067 \(2023-2024\).PDF](#)

6.II. 743-24

Documents:

[743-24 LAS PALMERAS INC. T-A LA DOLCE VITA BAR AND RESTAURANT.PDF](#)

6.III. 744-24

Documents:

[744-24 2001 PROOF LLC \(POCKET\) 0722-33-031 \(2023-2024\).PDF](#)

6.IV. 745-24

Documents:

[745-24 THE HAT.PDF](#)

6.V. 746-24

Documents:

[746-24 RENEWAL RESOLUTION \(2\) 6.25.24.PDF](#)

Township of West Orange
CONFERENCE MEETING AGENDA
Council Chambers – 66 Main Street
Tuesday, June 25, 2024
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 21, 2023, and published in the West Orange Chronicle on November 30, 2023.

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

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6:30 P.M.

- **Swearing In Ceremony – West Orange Fire Department Probationary Firefighters**
 - Recruit Frank Moleski
 - Recruit Neftaly Rivera
 - Recruit Shai Bialer
 - Recruit Christopher Parsons
 - Recruit Raymond Larsen
 - Recruit Vincenzo Abbattista
 - Recruit Shane Kistner
 - Recruit Patrick Bolan
- **Proclamation Commemorating Juneteenth 2024**
- **PIC (Public Information Center) for 12 Traffic Signals and Roadway Improvements - Various Municipalities**
 - Project purpose & need
 - Project funding
 - Project locations
 - Proposed Improvements
 - Intersection specific improvements
 - Timeline/Schedule
 - Next Steps
 - Q & A session
- **Public Meeting – 7:00 p.m.**

Agenda is subject to change.

REVISED

PUBLIC MEETING AGENDA

**Township of West Orange
66 Main Street – 7:00 p.m.
June 25, 2024-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 21, 2023, and published in the West Orange Chronicle on November 30, 2023.

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

- 1. Pledge of Allegiance**
- 2. Public Comment (Agenda Items Only)**
- 3. *Consent Agenda**
- 4. *Approval of Minutes of Previous Meeting – Public Meeting June 10, 2024 and Revised Public Meeting Minutes of January 23, 2024**
- 5. *Report of Township Officers - None**
- 5. *Reading of Petitions and Communications and Bids-None**
- 6. *Bill List 6.25.24**
- 7. *Resolutions**
 - a. 191-24 Resolution Authorizing an Abandoned Car Auction (P. Reynolds)**
 - b. 192-24 Resolution Authorizing Award of Professional Services Agreement for Consultant Public Health Nurse Supervisor Services with Courtney Reinisch – 2024 (Fonzino)**
 - c. 193-24 Resolution to Award a Contract Extension for Snow Plowing, Salting, Removal and Snow Hauling for 2024-2025 – Grabowski (L. Reynolds)**
 - d. 194-24 Resolution Authorizing the Issuance of Raffle Licenses (Clerk)**

- e. **195-24** Resolution to Award a Contract Extension for Snow Removal Services from Sidewalks, Paths, et. al. for 2024-2025 American Asphalt & Trucking, LLC (L. Reynolds)
- f. **196-24** Resolution to Award a Contract Extension for Snow Plowing, Salting, Removal and Snow Hauling for 2024-2025-American Asphalt & Trucking, LLC., Downes Tree Service, Inc. and Grabowski Construction (L. Reynolds)
- g. **197-24** Resolution Authorizing an Emergency Appropriation to Colonelli Bros., Inc., 409 So. River Street, Hackensack, NJ 07601 for Emergency Storm Sewer Outfall Replacement to the Township's Storm Sewer Main at 71 Seaman Road, West Orange in the Amount NTE \$161,261.71 (Carballo)
- h. **198-24** Resolution Authorizing the Disposal Of Shelving (P. Reynolds)
- i. **199-24** Resolution Authorizing the Submission of a Grant Application and Execution of a Grant Contract Identified as "MA-2025-Helen Ave., Lawrence Ave., Flore-00109" to the New Jersey Department of Transportation for the Helen Avenue, Lawrence Avenue, Florence Place, and Lowell Avenue Improvements Project (Carballo)
- j. **200-24** Resolution Authorizing Award of Professional Services Agreement for National Diagnostic Services, 28700 Cabot Drive, Suite 500, Novi, MI 48377, for Cancer Screening for WO Fire Department (P. Reynolds)
- k. **201-24** Resolution Authorizing Award of Professional Services Agreement for Dr. Michael Kelly, 776 Northfield Ave., West Orange, NJ for Cancer Screening for WO Fire Department (P. Reynolds)
- l. **202-24** Resolution Authorizing an Executive Session for the Purpose of Discussing Contract Negotiations/Litigation Specifically Prism Green Associates and Matrix Development (Legal-Beckelman)

Ordinances on Second and Final Reading

- a. **2857-24** An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-10.1 Stopping or Standing Prohibited During Certain Hours on Certain Streets of the Revised General Ordinances of the Township Of West Orange (Carballo)
- b. **2858-24** An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-26.1, Bus Stops, of the Revised General Ordinances of the Township Of West Orange – Roosevelt Middle School (Carballo)

8. Ordinances on First Reading

- a. **2859-24** An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-32.2 Restricted Parking Zones of the Revised General Ordinances of the Township of West Orange – 52 Hazel Ave. and 122 Whittlesey Ave. (Carballo)
- b. **2860-24 - DUPLICATE**
- c. **2861-24** An Ordinance Amending and Supplementing Chapter 20, Streets and Sidewalks, and Subsections 20-1 Et. Seq. of the Revised General Ordinances of the Township of West Orange (Legal-Gengaro)

- d. **2862-24** An Ordinance Amending the Effective Date of Ordinance 2846-24, An Ordinance Repealing and Replacing Chapter 25, Section 27 of the Revised General Ordinances of the Township of West Orange and Establishing Chapter 28 for Environmental Protection to Amend the Effective Date (Tree Protection, Removal And Replacement) (Legal-Gengaro)

9. Pending Matters/New Matters/Council Discussion

- a. CCRB Representative

10. Public Comment – Non-Agenda Items (as needed)

11. ABC Hearing

- a. **742-24** Hearing on Renewal for **2023-2024** License Term – **Fan & Jade, Inc.**, 0722-33-067-010
The renewal for 2023-24 could not take place until tax clearance was received. All requirements have now been met.
- b. **743-24** Hearing on Renewal for **2024-2025** License Term – **Las Palmeras, Inc.** 0722-33-045-005
(Special Conditions)
- c. **744-24** Hearing on Renewal for **2023-2024** License Term – **2001 Proof, LLC**, 0722-33-031-007
The renewal for 2023-24 could not take place until tax clearance was received. All requirements have now been met.
- d. **745-24** Hearing on Renewal for **2024-2025** License Term-**Harrison Avenue Tavern, Inc.** 0722-33-058-006 (Special Conditions)
- e. **746-24** Hearing on Renewal for Plenary Retail Consumption, Distribution and Club Licenses for the **2024-2025** License Term (Clerk) **Resolution Subject to Change as Additional Licensees Pay their Fees Prior to the Meeting**

12. 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)**

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/88587716686?pwd=q0YnIebuZsD0hHcJ-T2D2PB2-nhFZA.-jRTICmn9QF-8W5q>

Webinar ID: 885 8771 6686

Passcode: 609465

Public Comment – In Person Only

Next Meeting Date(s): July 9, 2024

Agenda is subject to change.

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 eleven (11) 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 the sale is Tuesday July 9, 2024 at 2:00 PM in following location:

Twin Towing
1 Lakeside Avenue
West Orange, NJ 07052

The Purchasing Agent is hereby authorized to sell eleven (11) 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 Tuesday July 9, 2024 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

Bill Rutherford
Council President

Adopted: June 10, 2024

Advertisement**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 Tuesday July 9, 2024 at 2:00 pm prevailing time, the vehicles listed below. The sale will be held and vehicles may be inspected at Twin Towing, Inc., 1 Lakeside Avenue, West Orange, NJ 07052.

YEAR	MAKE	VEHICLE ID
2004	NIS	5N1AA08B24N725482
2017	HON	1HGCR2F53HA146188
1998	ACU	JH4UA364XWC003259
2012	NIS	3N1AB6AP2CL709522
2002	AUDI	WAUVC68E02A207515
2000	TOY	2T1BR18E8YC355892
2008	SAT	5GZEV337X8J218596
2013	CHEV	1G11E5SA8DF290394
2014	NIS	JN8AZ1MW5EW505250
2018	FORD	MAJ3P1RE7JC173792
2005	AUDI	WAULC68E35A026761

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 Tuesday July 9, 2024 at 3:00 pm prevailing time, the vehicles listed below. The sale will be held and vehicles may be inspected at C&L Towing 38 Deforest Avenue East Hanover, NJ 07936

YEAR	MAKE	VEHICLE ID
2006	NIS	5N1AR18W56C624596
2003	BENZ	WDBUF70J33A197096
2006	VW	3VWRG71K36M710752
2014	HYU	KM8JUCAG8EU933615
2005	ACU	19UUA66255A069845
2010	DODG	2B3CA3CV0AH258973
2014	NIS	1N4AL3AP7EC278964
2004	TOY	4T1BE32K54U311556
2001	HON	1HGCG165X1A006984
2006	TOY	5TDZA23C76S479979
2008	NIS	1N4AL21E78N482245

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 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
Purchasing Agent

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) requires the services of a licensed Nurse Practitioner to provide consulting and supervisory services for the Township of West Orange (“Nurse Services”) following its award of a grant from the New Jersey Association of County and City Health Officials (the “NJACCHO”) called the Enhancing Local Public Health Infrastructure Grant (the “Grant”) which, in part will fund the Township’s retention of a licensed Nurse Practitioner to provide Nurse Services; and

WHEREAS, on May 24, 2024, the Township advertised a Request for Qualifications (the “RFQ”) for the award of an Agreement for Nurse Services (the “Contract”); and

WHEREAS, on June 11, 2024, Courtney Reinisch, DNP, RN, APN-C, FNP-BC, DCC, a licensed nurse practitioner of the State of New Jersey (the “Reinisch”) submitted a Proposal seeking award of the Contract for Nurse Services in response to the RFQ; and

WHEREAS, Reinisch included in her Proposal for Professional Services a proposed hourly rate of \$80 per hour at approximately 8 hours per week for a total of \$33,280 for the term of the Contract; and

WHEREAS, Reinisch previously provided these Nurse Services for the Township; and

WHEREAS, the Contract will commence on July 1, 2024 for a term of one (1) year to expire on June 30, 2025.

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 Contract with Reinisch, 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 J. Carnevale, R.M.C.
Municipal Clerk

Bill Rutherford
Council President

Adopted: June 25, 2024

I hereby certify funds available from Account No.: 01-2010-00-7101-200

John O. Gross, Chief Financial Officer

**RESOLUTION TO AWARD A CONTRACT EXTENSION FOR SNOW PLOWING, SALTING,
REMOVAL AND SNOW HAULING FOR 2024-2025**

WHEREAS, resolution No. 268-22 was authorized by the Township of West Orange Council for Snow Plowing, Salting, Removal and Snow Hauling within the Township for 2022-2023 with Two (2), One (1) Year Options, on October 25, 2022, and

WHEREAS, resolution 346-23 was authorized for the first extension of the contract for the 2023-2024 season; and

WHEREAS, the Township wishes to continue contracted plowing, salting, removal and hauling services; and

WHEREAS, the Township desires to extend this contract as allowed in the original bid document giving the Township the option to extend the contract for two (2) one (1) year periods, and

WHEREAS, the West Orange Department of Public Works has been satisfied with the past performance of this vendor, who is agreeable to existing rates to be charged, and

WHEREAS, the Director of Public Works recommends extension of this contract for a third and final year extension, and the Township Council concurs with this recommendation.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of West Orange that the Snow Removal Services contract be extended for the year(s) 2024-2025 to Grabowski Construction as per the attached schedule A, forgoing the bids rejected, and

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to arrange to pay for the foregoing in accordance with the terms in the purchase order with funds certified when funds made available.

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

Bill Rutherford, Council President

Adopted: June 25, 2024

I hereby certify funds are available from Account: 01-330-500-00-01
(Salt, Chloride & Snow)

*** amount not to exceed 2024 budget appropriation**

*** amount subject to 2025 approval of budget appropriation**

John O. Gross, Chief Financial Officer

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>
Fathers Club SHP	9.11.24, 10.2.24, 11.6.24, 12.4.24, 1.8.25, 2.5.25 3.2.25, 4.2.25, 5.7.25, 6.4.25 Calendar Raffle-Monthly	120 Northfield Ave.	7877
Spectrum360, Inc.	9.9.24 On Premise Merchandise	750 Eagle Rock Ave	7878

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

Bill Rutherford
Council President

Adopted: June 25, 2024

**RESOLUTION TO AWARD A CONTRACT EXTENSION FOR SNOW REMOVAL
SERVICES FROM SIDEWALKS, PATHS, ET.AL, FOR 2024-2025**

WHEREAS, resolution No. 297-22 was authorized by the Township of West Orange Council for Snow Removal Services from Sidewalks, Paths, Crosswalks, Bus Shelters and Stops within the Township for 2022-2023 with Two (2), One (1) Year Options, on November 22, 2022, and

WHEREAS, resolution 347-23 was authorized for the first extension of the contract for the 2023-2024 season; and

WHEREAS, the Township wishes to continue contracted removal services; and

WHEREAS, the Township desires to extend this contract as allowed in the original bid document giving the Township the option to extend the contract for two (2) one (1) year periods, and

WHEREAS, the West Orange Department of Public Works has been satisfied with the past performance of this vendor, who is agreeable to existing rates to be charged, and

WHEREAS, the Director of Public Works recommends extension of this contract for a third and final year of the contract, and the Township Council concurs with this recommendation.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of West Orange that the Snow Removal Services from sidewalks, paths, ET. AL. contract be extended for the year(s) 2024-2025 to the following vendor:

**AMERICAN ASPHALT & TRUCKING, LLC
818 SUMMER AVENUE
NEWARK, N.J. 07014**

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized to arrange to pay for the foregoing in accordance with the terms in the purchase order with funds certified when funds made available.

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

Bill Rutherford, Council President

Adopted: June 25, 2024

I hereby certify funds are available from Account: 01-330-500-00-01
(Salt, Chloride & Snow)

* amount not to exceed 2024 budget appropriation

* amount subject to 2025 approval of budget appropriation

John O. Gross, Chief Financial Officer

Paths, Crosswalks, Bus Shelters, and Stops within Township with Two (2), One (1) Year Options	American Asphalt and Trucking, LLC 818 Summer Avenue, Floor 1 Newark, N.J. 07104		
Section 1A-B-C Northeast/Northwest Section 2A-B-C Southeast/Southwest	UNIT PRICE PER FOUR PERSON CREW PER HOUR	MINIMUM HOURS	AMOUNT (UNIT PRICE x4 HOURS)
1A Two (2) Snow Blowers with Operators, Minimum 5 HP; Minimum Width 20", Maximum Width 36", Plus Two (2) Shovelers/Salters	\$379.00	4	\$1,516.00
1B Minimum Two (2) Backpack Blowers with Operators; plus One (1) Shoveler and One (1) Salter. (if Blowable)	\$364.00	4	\$1,456.00
1C One (1) Four Wheel Drive Tractor with Operator. Maximum Plow and Tractor Width 48", Minimum 20HP, plus Three (3) Shovelers, Salters, or Blowers.	\$442.50	4	\$1,770.00
2A Two (2) Snow Blowers with Operators, Minimum 5 HP; Minimum Width 20", Maximum Width 36", Plus Two (2) Shovelers/Salters	\$379.00	4	\$1,516.00
2B Minimum Two (2) Backpack Blowers with Operators; plus One (1) Shoveler and One (1) Salter. (if Blowable)	\$364.00	4	\$1,456.00
2C One (1) Four Wheel Drive Tractor with Operator. Maximum Plow and Tractor Width 48", Minimum 20HP, plus Three (3) Shovelers, Salters, or Blowers.	\$442.50	4	\$1,770.00

**RESOLUTION TO AWARD A CONTRACT EXTENSION FOR SNOW
PLOWING, SALTING, REMOVAL AND SNOW HAULING FOR 2024-2025**

WHEREAS, Resolution No. 246-22 was authorized by the Township of West Orange Council for Snow Plowing, Salting, Removal and Snow Hauling within the Township for 2022-2023 with Two (2), One (1) Year Options, on September 20, 2022, and

WHEREAS, resolution 348-23 was authorized for the first extension of the contract for the 2023-2024 season; and

WHEREAS, the Township wishes to continue contracted plowing, salting, removal and hauling services; and

WHEREAS, the Township desires to extend this contract as allowed in the original bid document giving the Township the option to extend the contract for two (2) one (1) year periods, and

WHEREAS, the West Orange Department of Public Works has been satisfied with the past performance of these vendors, who are agreeable to existing rates to be charged, and

WHEREAS, the Township Public Works Director recommends extension of this contract for a third and final year extension, and the Township Council concurs with this recommendation.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of West Orange that the Snow Removal Services contract be extended for the year(s) 2024-2025 to the vendors previously awarded as per the attached schedule A, forgoing the bids rejected and rebid:

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to arrange to pay for the foregoing in accordance with the terms in the purchase order with funds certified when funds made available.

Karen J. Carnevale, Municipal Clerk

Bill Rutherford, Council President

Adopted: June 25, 2024

**I hereby certify funds are available from Account: 01-330-500-00-01
(Salt, Chloride & Snow)**

*** amount not to exceed 2024 budget appropriation**

*** amount subject to 2025 approval of budget appropriation**

John O. Gross, Chief Financial Officer

SCHEDULE A

Vendor Submission List:

Grabowski Construction
770 Northfield Avenue
West Orange, NJ 07052

American Asphalt and Trucking, LLC
818 Summer Avenue
Newark, NJ 07104

Downes Tree Service, Inc.
65 Royal Avenue
Hawthorne, NJ 07506

Awarded Snow Plowing Routes:

American Asphalt and Trucking, LLC

Route 1A, Lower Valley, \$250.00 per hour
Route 1B, Heights, \$250.00 per hour
Route 1C, Merklin District, \$300.00 per hour
Route 1F, Lower Gregory, \$300.00 per hour

Downes Tree Service, Inc.

Route 1H, Suburban, Robertson, \$295.00 per hour
Route 1I, Seaman, Woodland, \$295.00 per hour

Award for equipment upon request for Plowing and for Removal, Loading and Hauling:

American Asphalt and Trucking, LLC

Single Axle Truck with Plow \$275.00 per hour
Tandem Axle Truck with Plow \$275.00 per hour
Single Axle Truck with Plow \$250.00 per hour
Tandem Axle Trucks \$150.00 per hour
Tri-Axle Trucks \$150.00 per hour
Front End Loader \$275.00 per hour

Downes Tree Service, Inc.

Single Axle with Plow \$295.00 per hour
Tandem Axle with Plow \$295.00 per hour
Single Axle with Plow \$245.00 per hour
20 cy roll off \$180.00 per hour
30 cy roll off \$180.00 per hour
Tandem Axle Trucks \$165.00 per hour
Tri-Axle Trucks \$165.00 per hour
Front End Loader \$250.00 per hour

Grabowski Construction, Inc.

Tandem Axle Trucks \$200.00 per hour
Front End Loader \$350.00 per hour

Rejection of Bids:

Route 1D, Oaks, Dogwood, Korwell Grabowski Construction, Inc. \$450.00 per hour
Route 1E, Roosevelt, Lorelei Grabowski Construction, Inc. \$450.00 per hour
Route 1G-1 and Route 1G-2, St. Cloud Grabowski Construction Inc. \$425.00 and \$450.00 per hour
Route 1K Main Street Dead Ends Grabowski Construction Inc. \$425.00 per hour

Routes to be Rebid:

Route 1D, Oaks, Dogwood, Korwell
Route 1E, Roosevelt, Lorelei
Route 1G-1 and 1G-2, St. Cloud

Routes 1J-1 and 1J-2 Stanford
Route 1K, Main Street Dead Ends

R E S O L U T I O N

WHEREAS, in April 25th, 2024, the Municipal Engineer received an email and on April 30th, 2024

received a letter from Engineering Consultant Mott Macdonald that conducted stormwater outfall inspections within the Township indicating that a 30” corrugated metal pipe (CMP) determined the storm sewer outfall warranted immediate repair; and

WHEREAS, to avoid any additional collapse of the storm sewer outfall and compromise the structural integrity of the foundation for No. 71 Seaman Road, the Department of Engineering decided to replace the storm sewer pipe on an expedited and emergency basis and restore the ground area; and

WHEREAS, pursuant to the Local Public Contracts Law, Emergency Contracts, N.J.S.A. 40A:11.6a the Municipal Engineer on May 2, 2024 notified the Administration, Legal Department and Purchasing Agent of the need to perform an emergency contract for this work with an approximate cost between \$145,000.00 to \$155,000 which is above the bid threshold; and

WHEREAS, it was concluded that to expedite the work and to perform the emergency replacement

of the storm sewer outfall to protect public health and safety, an emergency contract was issued to Colonnelli Bros., Inc. who was readily available to mobilize and perform the work; and

WHEREAS, the Municipal Engineer by letter dated June 17, 2024 recommends paying the costs of this emergency work; and

WHEREAS, Colonnelli Bros., Inc. submitted an invoice dated June 5, 2024 for the emergency storm sewer outfall repair at 71 Seaman Road and its associated improvements in the amount of \$161,261.71; and

WHEREAS, sufficient funds exist for this work; 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 an emergency appropriation in the amount not to exceed \$161,261.71 is authorized to Colonelli Bros., Inc. for emergency storm sewer outfall replacement to the Township's storm sewer main at 71 Seaman Road.

BE IT FURTHER RESOLVED that this work was performed pursuant to the provisions of the Local Public Contracts Law, Emergency Contracts, N.J.S.A. 40A:11-6 as the work was required to protect public health and welfare.

Karen J. Carnevale, RMC, Municipal Clerk

Bill Rutherford, Council President

Adopted: June 25, 2024

I certify funds are available for this work from:

**Account No.
\$161,261.71
Capital Budget, Sewer Improvements**

John O. Gross, Chief Financial Officer

COLONNELLI BROS., INC.

409 SO.RIVER STREET
HACKENSACK, NJ 07601

Invoice

Date	Invoice #
6/5/2024	24-3714-A

197-24

Bill To
WEST ORANGE ZAYIBETH CARBALLO 25 LAKESIDE AVENUE WEST ORANGE, NJ 07052

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project	
	NET 30 Days		6/5/2024				
Quantity	Item Code	Description			U/M	Price Each	Amount
		JOB: PER PROPOSAL 1151 - DRAINAGE REPAIRS ON SEAMAN COURT INCLUDING HEADWALL RECONSTRUCTION , PIPE REPLACEMENT, MANHOLE REPLACEMENT, AND RESTORATION					
1	LUMP SUM	LUMP SUM				161,261.71	161,261.71T
		Sales Tax				0.00%	0.00

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

Resolution No. 199-24
June 25, 2024

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Helen Avenue, Lawrence Avenue, Florence Place, and Lowell Avenue 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-2025-Helen Avenue, Lawrence Avenue, Flore-00109” 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 Council
On this 25th day of June, 2024.

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

Bill Rutherford
Council President

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) seeking services of a cancer screening for the West Orange Fire Department to provide consulting and screening services for the Township of West Orange Fire Department (“Cancer Screening”); and

WHEREAS, on May 8, 2024, the Township advertised a Request for Qualifications (the “RFQ”) for the award of an Agreement for Cancer Screening for the West Orange Fire Department (the “Contract”); and

WHEREAS, National Diagnostic Service (“NDS”) submitted a Proposal seeking award of the Contract for Cancer Screening for the West Orange Fire Department in response to the RFQ; and

WHEREAS, NDS included in their Proposal for Professional Services a proposed fee schedule as follows:

Non-State Health Benefits Participants

Physical Exam, Skin and Oral Cancer Screening: \$275.00
Comprehensive Blood Panel (CBC, CMP, Lipids): \$125.00
PSA and TSH Blood Analysis: \$75.00
Urine Bladder Cancer Screen: \$15.00
Fecal Occult Colon Cancer Screen: \$25.00
CT Low Dose Lung Cancer Screen: \$250.00
Ultrasound Cancer Screening: \$400.00
a. Thyroid, Liver, Kidney, Testicular/Pelvic
2nd Provider Result Review; TeleHealth: \$80.00
a. Blood analysis and Radiology review

WHEREAS, pursuant to N.J.S.A. 52:14-17.29ii(a) the Township shall be reimbursed for such costs from the State; and

WHEREAS, the Contract will be for the calendar year 2024.

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 Contract with

National Diagnostic Services, 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 J. Carnevale, R.M.C. Municipal Clerk

Bill Rutherford, Council President

Adopted: June 10, 2024

I hereby certify funds are available from Account No.: 01-2010-00-7101-200

John O. Gross, Chief Financial Officer

**SERVICES AGREEMENT BETWEEN NATIONAL DIAGNOSTIC
SERVICES AND THE TOWNSHIP OF WEST ORANGE**

This service agreement is between the Township of West Orange ("Township") and National Diagnostic Services ("NDS") 28700 Cabot Drive, Suite 500, Novi, MI 48377, Attention: Michael Ketslakh, President.

SECTION ONE: SCOPE OF SERVICES

For the 2024 calendar year, NDS hereby agrees to serve as a consultant for cancer screening services to the West Orange Fire Department. The scope of services provided by NDS is as follows:

2 Phases

a. **Phase 1** - On site or in office visit

Physical & Blood draw- Provider review of complete health history, Oral Cancer Screening & Full Skin Cancer Screening.

Cancer Screening Ultrasound

- i. *Script provided for Low Dose Lung CT Screening & appt scheduled at an offsite location convenient to member*
- ii. *Telehealth appt 1 week out from onsite or in office visit appt*

Testing should include, at a minimum, testing and screenings for the following types of cancer in accordance with N.J.S.A. 52:14-17.29ii(a)(1)-(11):

1. Colon
2. Lung
3. Bladder
4. Oral
5. Thyroid
6. Skin
7. Blood
8. Breast
9. Cervical
10. Testicular
11. Prostate

Phase 2 - 20-minute telehealth results review-Provider consults on patient results (Ultrasound & comprehensive Blood Work review). 11 members completed the CT screening and results are ready the consult will include those as well.

- i. All members have access to their complete medical record & results in a medical system provided by you. Vendor to provide login instructions for accessing those results to ease follow up.
- ii. Provider follow up ensures all members understand their results and if any follow up is required they are directed appropriately to their primary care provider.

Additional Services to be included:

a. provides all marketing & scheduling materials.

- i. Registration information- Demographics of members (for lab requisitions), eligibility (active members only and have at least 3 years as an active-duty firefighter).

SECTION TWO: COMPENSATION

The Township agrees to pay NDS per its fee schedule attached hereto. Pursuant to N.J.S.A. 52:14-17.29ii(a) the Township shall be reimbursed for such costs from the State.

SECTION THREE: BILLING PROCEDURES

NDS shall submit the proper vouchers or invoices to the Township in accordance with applicable law and regulations. Failure to submit invoices within 30 days of the conclusion of a quarter shall void the payment to NDS for that quarter.

SECTION FOUR: STATUS OF CONSULTANT

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

SECTION FIVE: NON-ASSIGNMENT

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

SECTION SIX: TERM, TERMINATION and JURISTITION

The term of this agreement is for the 2024 calendar year. It is understood that the continuation of this contract is pending the availability of funds in subsequent fiscal years and if the funds are not available in subsequent fiscal years, then this agreement shall be canceled. The

terms of this agreement are subject to the laws of the State of New Jersey and any disputes between the parties shall be heard in the applicable court of law. This agreement may be cancelled with thirty (30) days' written notice by either party.

Township and NDS agree that West Orange Mayor Susan McCartney has not been involved in any aspect of this Agreement, including, but not limited to, solicitation, negotiation, consideration or award of this Agreement.

In witness whereof, the signatures below verify the acceptance of the terms of this agreement by the parties involved. Signed on this _____ day in the month of June in the year 2024.

MICHAEL KETSLAKH, PRESIDENT

WITNESS

JAMES P. ABBOTT,
BUSINESS ADMINISTRATOR

ATTEST: Karen J. Carnevale, R.M.C.

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) seeking service of a cancer screening for the West Orange Fire Department to provide consulting and screening services for the Township of West Orange Fire Department (“Cancer Screening”); and

WHEREAS, on May 8, 2024, the Township advertised a Request for Qualifications (the “RFQ”) for the award of an Agreement for Cancer Screening for the West Orange Fire Department (the “Contract”); and

WHEREAS, Michael Kelly, DO (“Dr. Kelly”) submitted a Proposal seeking award of the Contract for Cancer Screening for the West Orange Fire Department in response to the RFQ; and

WHEREAS, Dr. Kelly included in his Proposal for Professional Services a proposed fee of \$1,200 per individual including cost of CT scan, ultrasound, including coronary calcium score and physical exam and additional testing ordered as indicated; and

WHEREAS, pursuant to N.J.S.A. 52:14-17.29ii(a) the Township shall be reimbursed for such costs from the State; and

WHEREAS, the Contract will be for the calendar year 2024.

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 Contract with Michael Kelly, DO, 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 J. Carnevale, R.M.C. Municipal Clerk

Bill Rutherford, Council President

Adopted: June 10, 2024

I hereby certify funds are available from Account No.: 01-2010-00-7101-200

John O. Gross, Chief Financial Officer

**SERVICES AGREEMENT BETWEEN MICHAEL KELLY, DO
AND THE TOWNSHIP OF WEST ORANGE**

This service agreement is between the Township of West Orange ("Township") and Michael Kelly, DO ("Dr. Kelly") 776 Northfield Avenue, West Orange, New Jersey 07052.

SECTION ONE: SCOPE OF SERVICES

For the 2024 calendar year, Dr. Kelly hereby agrees to serve as a consultant for cancer screening services to the West Orange Fire Department. The scope of services provided by DR. KELLY is as follows:

- Colorectal screening via fecal occult blood, fecal DNA, or if indicated, referral for a colonoscopy
- Lung screening with low dose CT scan. Please note that this will be included in the price and it is at a lower rate than if it was billed to the insurance. Other vendors just give prescription for CT scan which would increase the cost for self-insured agencies.
- Bladder, testicular and prostate US included
- Thyroid ultrasound included
- Blood tests for routine panels and selective cancer markers as recommended by the US preventive task force for cancer screening
- Complete comprehensive physical examination including screening for oral and skin cancers
- Cervical and breast screening as indicated
- Coronary calcium score included at no extra cost and will be done during the low dose CT scan
-

Fee \$1200.00 per firefighter

SECTION TWO: COMPENSATION

The Township agrees to pay Dr. Kelly per its fee schedule attached hereto. Pursuant to N.J.S.A. 52:14-17.29ii(a) the Township shall be reimbursed for such costs from the State.

SECTION THREE: BILLING PROCEDURES

Dr. Kelly shall submit the proper vouchers or invoices to the Township in accordance with applicable law and regulations. Failure to submit invoices within 30 days of the conclusion of a quarter shall void the payment to Dr. Kelly for that quarter.

SECTION FOUR: STATUS OF CONSULTANT

It is hereby agreed that Dr. Kelly is an independent contractor and is not considered an employee of the Township of West Orange during the performance of its duties as outlined in Section One. The Township of West Orange agree to defend the consultant in the event a claim

or lawsuit is brought against the Township for any actions alleging negligence with respect to the administration of the insurance programs. It is also understood that the Township of West Orange will cooperate fully with the consultant in the performance of his duties as outlined in Section One.

SECTION FIVE: NON-ASSIGNMENT

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

SECTION SIX: TERM, TERMINATION and JURISTITION

The term of this agreement is for the 2024 calendar year. It is understood that the continuation of this contract is pending the availability of funds in subsequent fiscal years and if the funds are not available in subsequent fiscal years, then this agreement shall be canceled. The terms of this agreement are subject to the laws of the State of New Jersey and any disputes between the parties shall be heard in the applicable court of law. This agreement may be cancelled with thirty (30) days' written notice by either party.

Township and Dr. Kelly agree that West Orange Mayor Susan McCartney has not been involved in any aspect of this Agreement, including, but not limited to, solicitation, negotiation, consideration or award of this Agreement.

In witness whereof, the signatures below verify the acceptance of the terms of this agreement by the parties involved. Signed on this _____ day in the month of June in the year 2024.

MICHAEL KELLY, DO

WITNESS

JAMES P. ABBOTT,
BUSINESS ADMINISTRATOR

ATTEST: Karen J. Carnevale, R.M.C.

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 **June 25, 2024** enter into a closed session to consider the following matter(s).

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

() 11. Deliberations occurring after a public hearing that may result in imposition of a civil penalty or suspension or loss of a license or permit.

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

**Resolution Authorizing an Executive Session for the Purpose of Discussing
Contract Negotiations/Litigation Specifically Prism Green Associates as well as Matrix
Downtown Redevelopment Project**

(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 **June 25, 2024.**

Motion:

Second:

Vote

Aye:

Opposed:

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

**Bill Rutherford
Council President**

Adopted: June 25, 2024

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-10.1
STOPPING OR STANDING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS, 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 7-10.1, Stopping or Standing Prohibited During Certain Hours on Certain Streets, of the Revised General Ordinances 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	Hours	Location
<i>Pleasant Valley Way</i>	<i>East</i>	<i>All</i>	<i>Beginning 308 feet from the southerly curb line of Greenwood Avenue extended, to the northerly curb line of Dawson Avenue extended</i>
Pleasant Valley Way	East	All	Beginning 308 feet from the southerly curb line of Greenwood Avenue extended, to the northerly curb line of Wessman Drive

Section 2. 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 3. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect upon final passage and publication in accordance with law and approved by the County of Essex, Board of Chosen Freeholders.

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

Susan McCartney, Mayor

Bill Rutherford, Council President

Introduced: June 10, 2024

Adopted: June 25, 2024

LEGISLATIVE HISTORY

This Ordinance will prohibit Stopping or Standing on the east side of Pleasant Valley Way northbound from Wessman Drive to just north of West Orange Mountain High School. This extends the current prohibition that extended from opposite Dawson Avenue to just north of the High School.

This prohibition was requested by Township residents, and the Engineering Division of the Essex County Department of Public Works. There is a safety concern due to the proximity to the I-280 exit 7 ramp and vehicles stopped or parked on the east side of Pleasant Valley Way. When stopped or parked vehicles are present, two northbound lanes of Pleasant Valley Way (CR 636) and the traffic exiting the highway need to merge into one lane, causing a dangerous condition.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-26.1, BUS STOPS, 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 7-26.1 Bus Stops, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows: (*italic type denotes deletion, bold type denotes addition*):

BUS STOPS (AT VARIOUS SCHOOL LOCATIONS)

STREETS	HOURS
<i>Along Gilbert Place, northbound on the easterly side thereof at:</i>	
<i>Between Club Boulevard and Gregory Place beginning 45 feet from the northerly curb line of Club Boulevard and extending 150 feet northerly.</i>	<i>8:00 AM to 4:00 PM SCHOOL DAYS</i>
<i>Between Club Boulevard and Gregory Place beginning 195 feet from the northerly curb line of Club Boulevard and extending 170 feet northerly.</i>	<i>ALL</i>
<i>Between Club Boulevard and Gregory Place beginning 365 feet from the northerly curb line of Club Boulevard and extending 190 feet northerly.</i>	<i>8:00 AM to 4:00 PM SCHOOL DAYS</i>
Along Gregory Place, eastbound on the northerly side thereof at:	
Between Gilbert Place and Gregory Avenue beginning 113 feet from the easterly curb line of Gilbert Place and extending 240 feet easterly.	8:00 AM to 4:00 PM SCHOOL DAYS

Section 2. 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 3. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

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

Susan McCartney, Mayor

Bill Rutherford, Council President

Introduced: June 10, 2024

Adopted: June 25, 2024

LEGISLATIVE HISTORY

This Ordinance will relocate the existing School Bus Stops from in front of Roosevelt Middle School, and move them to Gregory Place adjacent to the sport field area. There are two walking paths leading to the School Building in the new Bus Drop Off Zone. The existing Bus Stops will be converted to a Student Discharge and Pickup Area, for parents and guardians to drop off students from automobiles. Currently, parents are dropping their children off across the street from the front of the school, causing an unsafe condition when children try to cross through moving traffic and parked busses. The Municipal Engineer and the officers of the West Orange Police Traffic Division met with the Roosevelt Middle School Principal and RMS parents on April 15, 2024 to discuss student drop off concerns.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-32.2
RESTRICTED PARKING ZONES OF THE REVISED GENERAL ORDINANCES
OF THE TOWNSHIP OF WEST ORANGE**

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. Subsections 7-32.2, Restricted Parking Zones of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows (*italic type denotes deletion, bold type denotes addition*):

7-32.2 Restricted Parking Zones. Pursuant to N.J.S.A 39:4-197.6, Restricted Parking Zones, as defined in N.J.S.A. 39:4-207.6e, are established in front of the following residences as indicated on the Tax Maps of the Township of West Orange, at the specified locations. Parking within a specific zone is restricted to the motor vehicle issued a permit pursuant to N.J.S.A. 39:4-197.7. In accordance with N.J.S.A., 39:4-197.6 parking is permitted in the Restricted Parking Zone except when prohibited in front of the residence by other sections of this Chapter.

Residence Address	No. of Spaces	Location
52 Hazel Avenue	1	Beginning 150 feet east of the easterly curb line of Birch Street and extending 20 feet east.
122 Whittlesey Avenue	1	Beginning 65 feet east of the easterly curb line of Whittlesey Avenue and extending 20 feet east.

Section 2. If any provision of this Ordinance or application thereof, under any circumstances, is held invalid, the invalidity shall not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision(s) or application(s) and to this end the provisions of this Ordinance are severable.

Section 3. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect upon final passage and publication in accordance with law and upon the approval of the New Jersey Department of Transportation if required.

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

Susan McCartney, Mayor

Bill Rutherford, Council President

Introduced: June 25, 2024

Adopted: July 9, 2024

LEGISLATIVE HISTORY

This Ordinance is in response to requests from handicapped residents who reside at 52 Hazel Avenue and 122 Whittlesey Avenue.

By adopting this Ordinance, the Township will establish a handicapped parking stall adjacent to each of these addresses. Such parking stalls are permissible under the laws of New Jersey, and they are designated as Restricted Parking Zones. All other Parking Ordinances under this chapter apply and supersede the use of these restricted spaces.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20, STREETS AND
SIDEWALKS, AND SUBSECTIONS 20-1 ET SEQ OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF WEST ORANGE**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 20, Sections 1.1 *et seq.* 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 amend and supplement Chapter 20, Section 1.1 *et seq.* of the Revised General Ordinances of the Township of West Orange (the “Township Code”).

II. CHAPTER 20, SECTION 1.1 *et seq.* SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

§20-1.1 *et seq* BE AND HEREBY AMENDED AND SUPPLEMENTED AS FOLLOWS:

§ 20-1. EXCAVATIONS.¹

§ 20-1.1. Permit Required. [1972 Code § 22-1.1; amended 2-9-2021 by Ord. No. 2635-21]

No person shall open, dig up, or excavate any street or sidewalk, or any portion thereof for the purpose of connecting any pipe or conduit pipe with a water or gas main, or for any other purpose whatsoever, unless the applicant shall first obtain a permit from the Township Engineer.

§ 20-1.2. Provisions of Permit; Procedures; Fees. [1972 Code § 22-1.2; Ord. No. 729-84 § 3; Ord. No. 1328-95 § 4; amended 2-9-2021 by Ord. No. 2635-21]

- a. The permit shall be in writing, signed by the Township Engineer or his/her representative and shall include:
 1. A description of the work to be performed.
 2. A reason for said work.
 3. The street address including the nearest cross streets where the excavation is to be made.
 4. A plan or sketch in proper scale indicating the size and location of the proposed openings which shall include:
 - a. The distance in feet from the nearest intersection and from the nearest curb line;
 - b. The dimensions of the opening including length and width;
 - c. The existing parking restrictions.
 5. The start and estimated completion dates.
 6. The type of pavement to be opened.

¹ Editor's Note: The power to regulate excavation and construction in the public streets is contained in N.J.S.A. 40:67-1. The power to provide specifications for street and sidewalk construction is part of the general Police power, contained in N.J.S.A. 40:69A-29, 30.

7. The name and address of the compaction testing company or laboratory, as required by the Municipal Engineer.
 8. Photographs of the street or roadway which will be impacted by the proposed work and the areas immediately adjacent thereto as it exists at the time of the application for the permit.
 9. A utility mark out within the area affected. Applicant is responsible for contacting the West Orange Department of Public Works for all Sanitary and/or Storm sewer utility mark outs during working hours, or to notify West Orange Police during all other hours and request a DPW Sewer employee be dispatched.
 10. A written agreement to completely restore the area affected within a specified number of calendar days after the first disruption thereof to the condition it was at the time it was first completed. The selected period of time is subject to the approval of a representative of the Department of Engineering.
 11. Specifications, matching those used to construct the street or roadway in the first place, for the complete restoration of any and all bituminous paving, concrete sidewalks, concrete or block curbs, brick pavers, bollards, light poles, benches, trash receptacles, planters, sign posts, parking meters or control boxes, and any and all other aspects of the street or roadway that may be disrupted or impacted in any way by such work.
 12. All water valves, gas valves, storm and sanitary sewer castings are to be reset to grade prior to paving operations in accordance with sections 602.03.03- Set Casting, Reset Casting and Reconstructed Inlet and Manhole, 651.03.07-Reset Water Valve Box, 652.03.07-Reset Manhole Sanitary Sewer, and 653.03.04-Reset Gas Valve Box of the latest version of NJDOT Standard Specifications for Road and Bridge Construction.
 13. An itemized and detailed estimate of the cost of the proposed work, including the cost of complete restoration of the full-width of street or roadway prepared by the applicant's architect or engineer.
 14. A written agreement to submit photographs of the street or roadway once the Department of Engineering representative has approved the complete restoration of the street or roadway.
- b. No trees within the Township right-of-way shall be disturbed or removed without permission of the Township Forester.
- c. Application Procedures

1. Application for a permit for the installation of a main line of a utility or drainage system running parallel to the Township right-of-way shall be made to the Department of Engineering. Such application must include a detailed plan showing the limits of such an installation, the depth of the main and utility and other necessary information including full compliance with the requirements and subject to the conditions hereafter provided. Upon approval of the plan by the Municipal

Engineer, a permit will be provided.

2. Applications for a permit for the installation of a house connection for water, sewer, or any other purpose where the excavation does not run parallel to the Township right-of-way shall, upon compliance with the requirements, and subject to the conditions hereafter mentioned, be granted a permit. Application for the permit for the installation of water connections that require the excavation or removal of the surface pavement, curbing, or sidewalk shall be made at the Department of Engineering. Upon Approval of the Municipal Engineer, a permit will be granted.
3. All Other Applications. Applications for all other street openings requiring the excavation or removal of the surface pavement, curbing or sidewalk not provided here before shall be made at the Department of Engineering. A permit shall be issued when it can be determined that (i) the necessary documents are acceptable in form and substance, (ii) the applicant has paid the review and inspection fee, (iii) the applicant has posted sufficient insurance, (iv) the applicant has satisfied all other requirements applicable to the issuance of permits in the Township of West Orange.

4. Fees

- a. The applicant shall pay an application review in an amount to be set by Resolution for each individual Township Street or Roadway affected in a project.
- b. Additionally, upon issuance of the permit, the applicant shall pay to the Township a fee, in a matter set forth by Resolution at the approval of the Township Council.

§ 20-1.3. Deposit to Cover Cost of Replacement; Bond. [1972 Code § 22-1.3; Ord. No. 1328-95 § 5; amended 2-9-2021 by Ord. No. 2635-21]

The applicant shall upon receiving the permit, in order to secure the Township, deposit with the Township a sum to be determined by the Township Engineer, based on the area of the excavation and twice the prevailing cost of replacement, for such excavation. The minimum bond shall be \$3,000 cash. The deposit shall be forwarded to the Township Treasurer, who shall use it to defray the expense of the Township in maintaining and completing the work of repairing or replacing the street or road or part thereof, if the permittee has not maintained or completed it to the satisfaction of the Engineer. In lieu of the deposit, the applicant may, at the Township's option, give bond to the Township in the sum of \$50,000 with surety or sureties as the Township Council shall approve, conditioned for the payment from time to time of the expenses of repairing or replacing any and all streets or roads or parts thereof, so torn up or excavated upon permits issued therefor.

§ 20-1.4. Deposit Payment of Additional Sum. [1972 Code § 20-1.4; Ord. No. 1328-95 § 6]

The deposit of any surplus after the completion of the work shall be returned to the applicant within 180 days, upon written authorization of the Township Engineer. If any additional sum is required, it shall be paid by the applicant upon receiving written notice to that effect from the Township Engineer.

§ 20-1.5. General. [1972 Code § 22-1.5; amended 2-9-2021 by Ord. No. 2635-21]

- a. **General.** The New Jersey State Department of Transportation 2019 Standard Specifications for Road and Bridge Construction, or latest revision, shall govern all of the work performed under Township of West Orange Road opening permits, except as supplemented below:
 1. Any work under an issued permit must be commenced within three months from the date of issue, and completed 45 days from commencement, or said permit shall be deemed void and reapplication shall be required, unless previously approved by the Municipal Engineer.
 2. The permittee shall notify the Municipal Engineer 48 hours, not including weekends and holidays, in advance of the actual commencement of any work under a permit.
 3. The permittee shall notify the Municipal Engineer at least 24 hours prior to closing any trench or excavation.
 4. The permittee shall notify the Municipal Engineer at least 24 hours prior to doing any final repair of a trench or excavation.
 5. Permittees whose work results in the closing of a moving traffic lane, or which requires traffic to be diverted to another lane shall at all times while actively working at the site, utilize an authorized traffic plan approved by the West Orange Police Traffic Bureau for the maintenance and protection of traffic. This includes the use of Police Traffic Directors to assist motorists and pedestrians to proceed safely through the site.
 6. Barricades, signs, lights, and other approved safety devices shall be displayed in accordance with the Federal latest edition of the Manual on Uniform Traffic Devices.
- b. **Protection of Excavation.** Every person, utility or corporation engaged in the digging of any street, in the paving of any street or section of a street, building any sewer or drain, digging any trench for gas, water or other pipes, or in digging and building any manhole or valve box in any public street, or in the placing of any obstruction in any public street, where the work, if left exposed, would be dangerous to vehicles or passersby, shall erect a fence or railing at such excavations or work.

The fence or railing shall be erected in a manner to prevent danger to persons travelling on the

street or sidewalk. The person shall maintain the railing or fence until the work shall be completed or the obstruction or danger is removed. It shall be the duty of each person, utility or corporation who erects a railing or fence to place upon the railing or fence at sundown of each evening suitable and sufficient lighting and to keep the lights burning throughout the night during the performance of the work.

c. **Protection of Existing Structures.** It shall be the responsibility of the permittee to give proper notice of the proposed street opening to any person, firm, or corporation whose pipes, conduits, or other structures are laid in the portion of the street to be opened. Said notice shall be given, in writing, a minimum of 72 hours before commencement of said opening, and the permittee shall, at his own expense, carefully support, maintain in operation and protect from damage such pipes, conduits, or other structures. If any damage is caused to such pipes, conduits, or other structures, the permittee shall restore the same, at his own expense, to the condition they were prior to the commencement of work, except that gas facilities must be repaired by Public Service Electric and Gas Company and water main facilities must be repaired by the New Jersey American Water Company. Conduits or pipes shall be installed at a minimum depth of 18 inches from the surface of the roadway or below the base course whichever is greater. Where conduits and pipes cannot be installed at the required minimum depth, protective plating shall be installed over the facilities upon written request from the permittee and receipt of written approval of the Municipal Engineer.

d. **Breaking Existing Pavement.** Precutting of pavement wearing course by saw cutting shall be required. For pavement removal, the use of a "Ram Hoe" or truck mounted pavement breaker is not permitted unless otherwise authorized. Hand held tools should be used for this purpose. This applies to all streets at all times. The permittee shall be responsible for keeping the construction site clean and neat as practicable at all times during the life of the permit. No material shall restrict water flow in gutters. Every effort shall be made to keep the pavement opening dimensions to the absolute minimum. No person shall make any installation or repair between two or more street openings by means of tunnelling or jacking without approval of the Municipal Engineer or his/her representative.

1. **Sheeting or Bracing.** The sides of any open excavation five feet or more in depth shall be secured by sheeting and bracing where the earth is not sloped to the angle of repose of the material and where unsafe conditions are created due to the composition of the soil, depth of excavation, climactic conditions, or construction operations. Where sheeting or bracing has been used for the excavation, it shall be pulled when the excavation has been filled or backfilled to the maximum unsupported depth allowed by the New Jersey Department of Transportation guidelines.

e. **Backfill or Plating.** All excavations shall be completely backfilled at the end of each working day, unless it would constitute a hardship to the permittee or where the size of the excavation makes

it impossible to backfill at the end of each working day, in which a waiver may be granted by the Township Engineer. In the event that a waiver is granted, the contractor or owner shall cover the excavation with heavy one-inch-thick plates secured to the pavement to prevent rattles and movement, and erect appropriate barriers and lights around the entire excavation and arrange to provide appropriate security protection, if such security is necessary, at his own cost and such other safeguards as may be needed to protect the public from an open excavation. If plates are placed for over a weekend or for an extended period, all edges are to be macadam sealed and sloped. In no event shall an excavation be left open for more than 72 hours, unless an emergency exists and permission has been secured from the West Orange Police Department, the Township Engineer, or their designated representative. Plates left in the roadway between November 15 and April 1 shall be recessed to allow for snowplowing, should it be necessary.

f. **Paving.** No road opening shall be permanently paved until a final inspection has been made by

the Township Engineer or his representative and final approval given. For all openings:

1. All water valves, gas valves, storm and sanitary sewer castings are to be reset to grade prior to paving operations in accordance with sections 602.03.03- Set Casting, Reset Casting and Reconstructed Inlet and Manhole, 651.03.07-Reset Water Valve Box, 652.03.07-Reset Manhole Sanitary Sewer, and 653.03.04-Reset Gas Valve Box of the latest version of NJDOT Standard Specifications for Road and Bridge Construction.
2. The paved roadway surfaces shall be saw cut or blade cut vertically on a straight line before excavating.
3. The material excavated from the trench opening shall not be replaced as backfill.
4. Excavated materials must be removed from the work site on the day of excavation.
5. The backfill will be comprised of Dense Graded Aggregate (DGA) or other material approved by the Township Engineer.
6. All backfill shall be placed in twelve-inch horizontal layers, with each layer thoroughly compacted by mechanical means to the satisfaction of the Engineer. The Engineer reserves the right to require a compaction test to be performed by an independent laboratory at the expense of the permittee.
7. After proper settlement and cutback, for any portion of the road, the entire width of the trench, plus a four-inch overlap, shall be overlaid with a two-inch minimum thickness of bituminous concrete surface course (9.5M64 or 12.5M64 as designated by the Municipal Engineer) pavement applied to the entire length of the disturbed area and rolled in place

to obtain a smooth pavement surface and sealed at all edges.

g. Asphalt Pavement Openings; Backfilling; Restoration of Surface.

1. The permittee shall assume all responsibility and hold the Township harmless for any property damage or bodily injury which may occur as a result of the work performed from the time the work commences until the permanent restoration has been completed to the Engineer's satisfaction. The permittee shall immediately backfill the opening with an approved material in layers not exceeding one foot in thickness. This fill shall be brought to an elevation of eight inches below pavement surface. Compaction shall be attained by use of plate tampers, small drum vibrators, or "jumping jack" hydraulic rammers. Hand compaction shall not be permitted except in the immediate area of the underground facility where hand compaction is permissible using as many strokes as necessary to attain maximum density.
2. Once the excavation work area has been properly saw cut, and the backfill tamped and compacted, the permittee shall install no less than eight inches of bituminous stabilized base course (19M64 or 25M64 as designated by the Municipal Engineer) to the trench surface in two lifts compacting after each application. The roadway restoration for the roadway opening shall be full curb to curb roadway restoration. The permittee shall be required to excavate to the curb and evenly install eight inches of bituminous stabilized base course (19m64 or 25M64) applied in two lifts to the entire area.
3. The partially restored pavement shall be allowed to settle for no less than 90 and no more than 180 days. If, at any time during the settlement period, the trench becomes unacceptable as determined by the Township Engineer or his representative, the permittee shall be notified of the condition requiring repair, and such repair shall be performed within 24 hours of such notification. If the repair is not made in the time specified, the Township may make the repair, and any costs thereof will be charged against the permittee's cash repair deposit and/or maintenance bond. At the end of the time of settlement required by the Township Engineer, an inspection will be made by the Engineer or his representative.
4. After the Township Engineer's inspection, the permittee shall be required to mill the excavation work area surface to a width equal to the width of the roadway with one foot wider on each side of the initial repair and install no less than two inches of bituminous concrete surface course (9.5M64 or 12.5M64 as designated by the Municipal Engineer). The permittee shall also be required to provide a tack coat on all existing bituminous and concrete surfaces and a hot poured, rubber asphalt joint sealer (per Section 914 of NJDOT Standard Specifications for Roads and Bridges).
5. Unless authorized by the Township Engineer, any excavation less than, 10 square yards shall require milling and restoration of the excavation work area extending a minimum of one foot beyond the edge of excavation to the nearest curb. Any excavation equal to or greater than 10 square yards shall require milling and restoration of the excavation work area extending from full curb to curb roadway restoration and extending a minimum of one foot beyond the outer edges of the excavation. If the excavation work area will be within 100 feet or less of previous excavations occurring within one year of the subject

excavation (by the same permittee along the ~~same~~ either side of the road), the permittee shall be required to mill and restore the roadway between the outermost excavations with full curb to curb roadway restoration.

6. The permittee shall be required to replace any facilities, including, but not limited to, curb, pavement, sidewalk, line striping, etc., that are affected by the excavation and restoration work, at the permittee's expense. Such work shall be performed according to the Township's standards.
7. Non-paved areas. All grass or graveled area or sidewalk areas disturbed within the Township right-of-way(s) shall be reconstructed, top soiled, seeded, and mulched within 14 days of completion of excavation. All concrete areas will be thoroughly compacted before restoration. These limits may be waived by the Engineer only when abnormal temperatures or inclement weather necessitates the same.
8. All work, including grassy areas, shall be guaranteed for a period of 60 months.

§ 20-1.6. Insurance. [1972 Code § 22-1.6; amended 2-9-2021 by Ord. No. 2635-21 ²]

As a condition of the issuance of a permit, the applicant shall provide the Township with evidence of General Liability, General Comprehensive and Vehicular Insurance and Worker's Compensation Insurance in an amount not less than **\$1,000,000.00** each occurrence and **\$2,000,000.00** aggregate. Such insurance policy must also name the Township of West Orange as an additional insured and be issued by a company licensed by the State of New Jersey.

§ 20-1.7 Emergencies.

In the event that an emergency condition exists requiring immediate action by any person, utility or corporation requested to obtain a permit pursuant to this section, the person may immediately cause the roadway to be entered and emergency measures taken without first obtaining a permit, provided that:

1. A true emergency exists and the person has notified the Township of West Orange Police Department prior to the start of work, who shall log the emergency and provide information regarding traffic control and the hiring of traffic directors.
2. A permit is applied for within 24 hours of the road opening or on the next business day, whichever is more practical.
3. All work is performed in accordance with the provisions of this chapter.
4. The permittee shall commence emergency work as soon as practical, and perform such

work on an around the clock basis until the emergency is abated.

5. Barricades, signs, lights, and other approved safety devices shall be displayed in accordance with the latest version of the Federal Manual on Uniform Traffic Devices.
6. No private vehicles may be kept in the work area.
7. All necessary information regarding the emergency work that is requested by the Department of Engineering Inspector or other Township representative shall be provided by the permittee or the work crew on scene.
8. Permittees whose work results in the closing of a moving traffic lane, or which requires traffic to be diverted to another lane shall at all times while actively working at the site, utilize an authorized traffic plan approved by the West Orange Police Traffic Bureau for the maintenance and protection of traffic. This includes the use of Police Traffic Directors to assist motorists and pedestrians to proceed safely through the site at the permittees expense.

§ 20-1.8 Excavations and Street Openings in Protected Streets

No street opening activity shall be allowed, except for emergency work or as authorized by the Municipal Engineer in a protected street for a period of ten years from the completion of street improvements. The Municipal Engineer shall once a year, or as often as may be appropriate, provide to the public utility providers and the general public notice of planned work on municipal roads, advising that any work requiring excavation and disruption of pavement within or about those roads will have to be completed prior to Township paving projects. Such notice shall state that no road opening permits will be issued for openings, cuts, or excavations in newly paved roads for a period of 10 years from the completion of the project.

The notice shall also provide those applications for road opening permits for work to be done prior to the Town paving project shall be submitted promptly in order that the work covered by the permit may be completed before paving. Notice to public utility providers shall be by E-Mail.

a. **Permit Issuance.** No permit to use or open any street, except for emergency work, shall be issued to any person within a ten-year period after the completion of the construction of a capital project relating to such street requiring resurfacing or reconstruction unless such person demonstrates that the need for the work could not have reasonably been anticipated prior to or during such construction. Notwithstanding the foregoing provisions, the Municipal Engineer may authorize the issuance of a permit to open a street within such ten-year period upon a finding of necessity therefore.

b. **Conditions.** Permittees shall be responsible to contact the Department of Engineering for Municipal Engineer to determine whether a street is scheduled to be rebuilt under a street reconstruction project.

c. **Application.**

1. Permittees shall include on the application the justification for any street opening activities on protected streets.

2. The permittee shall attach the "Protected Street Opening Permit Application attachment" to the Street Opening permit application prior to obtaining the permit.

d. No backfill of any opening or excavation on a protected street shall be performed unless the permittee notifies the Department of Engineering at least **48 hours** prior to the scheduled start time for the backfill. In no case shall the permittee commence the backfill prior to the scheduled start time. For the HMA base and surface course, the permittee shall fax/email its daily paving schedule to the Department of Engineering prior to commencing work. In addition, during the backfill and compaction phase of the work, permittees must provide, on site, a certified compaction tester from an approved laboratory or a licensed certified tester to test that the compaction of the backfills is in accordance with the Department of Engineering's rules and specifications. Upon completion of temporary restoration measures, a thirty-day settlement period shall be observed. Upon completion of the settlement period, final (permanent) restorations shall be completed within 10 working days, or as directed by the Department of Engineering should the final restoration period fall within the winter season.

e. The Department of Engineering may inspect any phase of the work, including but not limited to initial excavation, backfill and compaction, performance of required cut backs, and final restoration.

f. A certification issued by a New Jersey licensed professional engineer shall be provided to the Municipal Engineer within 30 days of completion of work on protected streets. The certification shall state that the type of work performed was as described in the permit application, and that all phases of the restoration were performed in accordance with the Township rules and specifications.

g. Permittees shall be responsible for the proper repair of the street opening or excavation for a period of three years from the date of completion or for the duration of the protected street guarantee period, whichever is longer.

h. Where street openings cannot be confined to within four feet of the curb line, including the required cut back, and/or within the sidewalk area, full curb to curb roadway restoration shall be required where protected street status has been in effect for 48 months or less, unless otherwise directed by the Municipal Engineer.

i. In the event a permanent restoration pavement installed in violation of the provisions of paragraph 1 of this paragraph d settles more than two inches below the surrounding existing surface during the life of such permanent restoration, this shall be deemed a failure of the backfill compaction, in which case, the permittee shall remove all of the failed backfill, down to the subsurface facility, and install new, properly compacted backfill and the final finish should be infrared for a smooth trench.

j. In those circumstances where a non-emergency linear opening or excavation is performed on a street where protected streets status has been in effect for a period of **five years or less**, then the permittee **shall be required to perform full curb to curb roadway restoration on the protected street, plus curb-to-curb repaving of another street in the area**, as designated by the Municipal Engineer with the consent of the Mayor and Council. The length of the repaving of the additional street shall be substantially equivalent (as determined by the Municipal Engineer) to the length of the restoration of the protected street that was opened/excavated within this five-year period.

§ 20-1.9 Violations and Penalties

Any person who shall violate any of the provisions of this ordinance, or take part in or assist in any violation, or who shall violate or fail to comply with any order or regulation made under the provisions of this ordinance, or shall make any excavation or store any material within the line of any municipally controlled road or street in the Township of West Orange, except as allowed by permit under the provisions of this ordinance, shall severally for each and every such violation or noncompliance, respectively, not otherwise provided for, be liable to the maximum penalty as per N.J.S.A. 40:49-5 as follows:

- The Township Council may prescribe penalties for the violation of ordinances it may have authority to pass, by one or more of the following: imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding 90 days; or by a fine not exceeding \$2,000; or by a period of community service not exceeding 90 days.
- The Township Council may prescribe that for the violation of any particular ordinance at least a minimum penalty shall be imposed which shall consist of a fine which may be fixed at an amount not exceeding \$100.
- The Township Council may prescribe that for the violation of any particular ordinance at least a minimum penalty shall be imposed which shall consist of a fine which may be fixed at an amount not exceeding \$100.

Should any person, firm, or corporation in violating any of the provisions of this ordinance, after notice of such violation, continue such violation, each 24 hours that the same shall be continued shall be construed to constitute a separate and distinct violation.

Any person, firm, or corporation who is convicted of violating the ordinance within one year of the date of a previous violation of this ordinance and who was fined for the previous violation, shall be sentenced to an additional fine as a repeat offender. The additional fine as imposed upon a person, firm, or corporation for repeated offense shall not be less than the minimum or exceed the maximum fine imposed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the initial conviction of violating the ordinance.

Any person, firm, or corporation convicted of the violation of any provision of this ordinance may, in the discretion of the Court by which he was convicted, and in default of the payment of any fine imposed therefore, be imprisoned by the County jail or place of detention provided by the Township, for any term not exceeding 90 days, or be required to perform community service for a period not exceeding 90 days.

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.
Municipal Clerk

Susan McCartney, Mayor

Bill Rutherford, Council President

Introduced: June 25, 2024

Adopted: July 9, 2024

LEGISLATIVE HISTORY

This Ordinance amends and supplements Chapter 20 Streets and Sidewalks to include new permit procedures and general specifications for contractors to excavate streets and sidewalks in the Township. It also outlines new emergency procedures, requirements for street openings in Protected Streets and introduces new penalties for violations of the ordinance. This ordinance is consistent with procedures and requirements in other North Jersey Towns.

**AN ORDINANCE AMENDING THE EFFECTIVE DATE OF ORDINANCE 2846-24, AN
ORDINANCE REPEALING AND REPLACING CHAPTER 25, SECTION 27 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE AND ESTABLISHING
CHAPTER 28 FOR ENVIRONMENTAL PROTECTION TO AMEND THE EFFECTIVE DATE
(TREE PROTECTION, REMOVAL AND REPLACEMENT)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF
WEST ORANGE, NEW JERSEY** that Ordinance 2846-24, which is an Ordinance repealing and
replacing Chapter 25, § 27 *et seq.* of the Township of West Orange Municipal Code, and which
Ordinance passed on second reading on June 10, 2024, is hereby amended as follows:

§ ____-11: Severability, Repeal of Inconsistent Ordinances, and Effective Date

Any and all parts of ordinances which are inconsistent with any of the terms and
provisions of this section be and the same are hereby repealed as to and to the extent of
such inconsistency.

Any and all parts of ordinances which are inconsistent with any of the terms and
provisions of this section be and the same are hereby repealed as to and to the extent of
such inconsistency.

This section shall take effect on January 1, 2025.

SUSAN MCCARTNEY, MAYOR

**BILL RUTHERFORD,
COUNCIL PRESIDENT**

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

INTRODUCED: June 25, 2024

ADOPTED: July 9, 2024

Legislative History

The purpose of this ordinance is to amend Ordinance 2846-24, which the Township Council passed on Second Reading on June 10, 2024, such that the effective date of the Ordinance is January 1, 2025 in order to allow the Administration to upgrade the technology necessary to implement the Ordinance, time to deal with any budgetary issues including staffing, and time to educate the public regarding Ordinance 2846-24.

RESOLUTION

WHEREAS, unless otherwise noted herein, the holder of alcoholic beverage license from the Township of West Orange listed below and made part hereof, has made an application to this Township of West Orange ABC Board to renew said license for the **2023-2024** license term; and

WHEREAS, said licensee has paid all license renewal fees and submitted the appropriate application to renew; and

WHEREAS, a public hearing was held before the Township of West Orange ABC Board on **June 25, 2024** and no one appeared in opposition to any license renewal; and

NOW, THEREFORE, BE IT RESOLVED that the Township of West Orange ABC Board wishes to renew the following alcoholic beverage license set forth for the **2023-2024** license term:

0722-33-067-010 Fan & Jade, Inc. (Pocket)

KAREN J. CARNEVALE, RMC
ABC Board Secretary

BILL RUTHERFORD
Council President/ABC Board Member

Adopted: June 25, 2024
Effective: June 25, 2024

**TOWNSHIP OF WEST ORANGE, ESSEX COUNTY, NEW JERSEY
ALCOHOLIC BEVERAGE AND CONTROL BOARD**

RESOLUTION

WHEREAS, the Township Council of the Township of West Orange serves as the Township of West Orange Board of Alcoholic Beverage Control; and

WHEREAS, an application has been filed by Las Palmeras, Inc. t/a La Dolce Vita Bar Restaurante (formerly Las Palmeras), 364 Valley Road, West Orange, NJ, for the renewal of its Plenary Retail Consumption License, bearing License #0722-33-045-005, for the License Period **July 1, 2024 through June 30, 2025**; and

WHEREAS, the Licensee's application for renewal complies with the New Jersey State Laws regulating the sale, consumption, and distribution of alcoholic beverages; and

WHEREAS, the Licensee, in or about early June, 2016, resolved with the State of New Jersey at least ten (10) charges filed by the Office of the Attorney General, Department of Law and Public Safety, Division of Alcoholic Beverage Control, alleging that the Licensee had committed various and serious offenses during 2014, and seeking suspension of the license for 209 days, the resolution of which included payment of \$8,600 in lieu of a 72 day suspension, with 45 days held in abeyance for a period of 2 years, and the mitigating factor that the Township had imposed Special Conditions on this Licensee, including, but not limited to, the requirement to install and maintain a video security system, and the Township learning of such disposition shortly after the Licensee's License had been renewed for the 2016-2017 License term; and

WHEREAS, the Special Conditions existing on the Licensee for that License Term were as follows"

1. The Licensee shall hire one off-duty WOPD Officer or private security guard at prevailing rates to provide for exterior security at the Licensed Premises on Friday, Saturday and Sunday nights from 9:30 p.m., to 1:30 a.m.;
2. The Licensee shall hire a licensed security company to provide security for the interior of the Licensed Premises on Friday, Saturday and Sunday nights from 9:30 p.m., to 1:30 a.m.;
3. The Licensee shall install and maintain a video surveillance system to cover the interior of the Licensed Premises, including the bar area, the front and back entrances and exits and the front sidewalk area on Valley Road, which surveillance system shall be maintained in good working order and operating during all hours when the Licensed Premises is open for business, and recordings shall be kept and made available to the West Orange Police Department upon request for at least thirty (30) days following the date of recording, and the Licensee shall

cooperate with the West Orange Police Department in the implementation and maintenance of this video surveillance system; and that

4. The Licensee, every day it is open, shall close its doors to new customers at 12:30 a.m., shall cease the sale of alcoholic beverages at 1:00 a.m., and all customers shall be off the premise by 1:30 a.m.; and

WHEREAS, new ABC charges were brought by the Township against this Licensee in February, 2017, as follows: On or about November 27, 2016, at or about 11:20 p.m., in the Township of West Orange, County of Essex and State of New Jersey, at and about the Licensed premises of the Licensee located at 364 Valley Road, West Orange, New Jersey, the Licensee did conduct the premises so as to allow, permit or suffer in, upon and about that premises, an act of violence and disturbance, specifically a patron shoving and throwing a bottle at another patron, who was highly intoxicated, and causing a laceration above the victim's left eye, in violation *N.J.A.C. 13:2-23.6(a)2*, and the Licensee has violated *N.J.A.C. 13:2-23.6(b)*, in that it has repeatedly and over a period of at least the past three years allowed, permitted, or suffered in or upon the licensed premises assaults, acts of violence and/or disturbances, including, but not limited to seventeen incidents requiring police intervention in or about the year 2014, adversely affecting public safety or the rights of the public, to which a non-vult plea was entered and disposition made on June 1, 2016, by the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control, Trans. No. R42991, as well as fifteen incidents of affrays, two incidents of aggravated assault, an incident of strong arm robbery, urinating in public, disorderly conduct, and ten noise complaints, all occurring in 2015, as well as twenty-one incidents of affrays, four incidents of simple assault, an aggravated assault, assault with a weapon, fighting, strong arm robbery, disorderly conduct, theft and noise complaints in 2016, all contrary to the public health, safety and welfare, requiring many calls to and interventions by the West Orange Police Department, such that the operation of this licensed premises has become, and its operation is, a nuisance, the Licensee unable to maintain control of its patrons and its licensed and surrounding premises; and

WHEREAS, counsel for the Licensee had advised that the Licensee employed a new Co-Manager in February, 2017, and had voluntarily self-imposed certain time constraints on its operation since that time, which were greater constraints than those currently existing Special Conditions, in an effort to eliminate the incidents which have given rise to the pending and earlier ABC charges and Special Conditions during the past several years; and

WHEREAS, the West Orange Township ABC Board and the Licensee agreed with respect to said pending charges to proceed as follows:

The Township ABC Board shall adjourn the hearing on the pending ABC charges for a period of 90 days, from the currently scheduled June 27, 2017, to the second regular Council Meeting in September, or first such meeting in October, 2017, and shall then determine based upon the Licensee's operation in the interim whether there is a need to go forward with prosecution of those charges, or to forego them in view of the Licensee's improved and acceptable operation during 2017; and

The Licensee agrees to continue its to date self-imposed modifications to the previously imposed Special Condition no. 4, closing its doors to new customers at 12:00 a.m., rather than 12:30 a.m., ceasing the sale of alcoholic beverages at 12:15 a.m., rather than at 1:00 a.m., and having all customers off the premises by 1:00 a.m., instead of at 1:30 a.m., all of those limitations applicable every day the Licensee is open; and

The Licensee understands and acknowledges that Special Conditions 1 and 2, previously imposed and to continue for the 2017-2018 License Term, contemplate that any security company and security guard, or officer, shall be licensed and registered pursuant to the “Security Officer Registration Act” (“SORA”), *N.J.Stat. §45:19A-1, et seq.*, the terms “security guard” and “security officer” meaning the same thing, and, if not already in full compliance with “SORA”, full compliance shall be achieved within sixty (60) days of enactment of this Resolution; and

WHEREAS, twenty-two new charges were brought against this Licensee and hearings held on those charges on July 10, 2018 and August 21, 2018, twelve of those charges having been sustained as evidenced in ABC Board Resolution 598-18, dated August 21, 2018, as follows:

- Violation of N.J.A.C. 13:2-23.6(a) 2 - Prohibition Against Any Brawl, Act of Violence, Disturbance, or Unnecessary Noise on Premises relating to an incident occurring on or about October 9, 2017;
- Violation of N.J.A.C. 13:2-23.6(a) 2 - Prohibition Against Any Brawl, Act of Violence, Disturbance, or Unnecessary Noise on Premises relating to an incident occurring on or about January 13, 2018;
- Violation of N.J.A.C. 13:2-23.6(b) - Prohibition Against Operation of Liquor License Business in a Manner Which Fails to Avoid Acts of Violence and Disturbances so as to Constitute a Nuisance Contrary to the Public Health, Safety and Welfare, relating to numerous incidents occurring over the last three years;
- Violation of N.J.A.C. 13:2-23.13, Requirement to Maintain copies of current license certificate; application; list of employees on the licensed premises, resulting from an ABC inspection occurring on October 13, 2017, during which an incomplete E141a Form was produced by the Licensee;
- Violation of N.J.S.A. 33:1-31(h), for violation of any ordinance, resolution or regulation of the issuing authority, the Licensee at the time of the October 9, 2017, assault incident not in compliance with one of its Special Conditions of operation in that its video surveillance system was not operating properly and not properly maintained to ensure such proper operation, not recording the incident occurring on that date, a violation of the Special Condition;
- Violation of N.J.S.A. 33:1-25 and 1-26, for circumvention of the application and licensing process and effectively sharing profits with unlisted and unlicensed owners, specifically, with women hired to entertain customers, in and about October, 2017;
- Violation of N.J.A.C. 13:2-23.13(a)(2), requiring Class C Licensees to have a photostatic

or other true copy of the current license application as well as the last filed long-form application (if the current application is short form), kept on the Licensed premises in order to conduct the licensed business, at the time of an ABC investigation on October 13, 2017;

- Violation of N.J.A.C. 13:2-23.32 (e), requiring that for an unlimited period of time licensees must keep permanent records of account truly and accurately containing a record of all moneys invested in the licensed business, etc., such documents able to be stored off the licensed premises but produced within 7 days of a request by the Director, the issuing authority or agents or representatives thereof, occurring during an ABC inspection on October 13, 2017;
 - Violation of N.J.S.A. 33:1-31(h), Suspension or revocation of license for any violation of any ordinance, resolution or regulation of the issuing authority or governing body, on January 8, 2018, the Licensee remaining open after the closing time required by its Special Conditions;
 - Violation of N.J.S.A. 33:1-31(h), Suspension or revocation of license for any violation of any ordinance, resolution or regulation of the issuing authority or governing body on January 13, 2018, the Licensee remaining open after the closing time required by its Special Conditions;
 - Violation of N.J.S.A. 33:1-31(h), Suspension or revocation of license for any violation of any ordinance, resolution or regulation of the issuing authority, on or about July 9, 2017, the Licensee remaining open after the closing time required by its Special Conditions;
 - Violation of N.J.S.A. 33:1-31(h), Suspension or revocation of license for any violation of any ordinance, resolution or regulation of the issuing authority on or about July 24, 2017, the Licensee remaining open after the closing time required by its Special Conditions;
- and the penalties imposed having been consolidated, including a thirty-day suspension of the License with fifteen days held in abeyance; and

WHEREAS, new incidents have occurred since resolution of those charges and for which written charges were prepared as well as some additional charges being in the process of preparation and prosecution of all of them, as set forth in an attachment hereto titled “Exhibit A”, anticipated in the near future; and

WHEREAS, the purpose of the ABC regulatory scheme is to protect the health, safety and welfare of the people of the State of New Jersey, and the fostering of moderate and responsible use and consumption of alcoholic beverages, and the proposed special conditions being logically related to the regulatory scheme and being reasonable efforts to promote the purposes of that scheme;

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, serving as the Township’s Board of Alcoholic Beverage Control, does hereby approve the renewal of the Plenary Retail Consumption License heretofore issued to the Licensee bearing License #0722-33-045-005, for the **2024-2025** Licensing term, said renewal being subject to the following Special Conditions pursuant to N.J.S.A. 33:1-32, all of which Special Conditions having been found by the Board to be necessary and proper to accomplish the objects of Title 33 and secure compliance with its

provisions, and submitted promptly for approval by the Director of the Division of Alcoholic Beverage Control in accordance with law:

1. The Licensee shall hire one off-duty WOPD Officer or private security guard at prevailing rates to provide for exterior security at the Licensed Premises on Friday, Saturday and Sunday nights from 9:30 p.m., to 1:30 a.m.;
2. The Licensee shall hire a licensed security company to provide security for the interior of the Licensed Premises on Friday, Saturday and Sunday nights from 9:30 p.m., to closing at 1:00 a.m.;
3. The Licensee shall install and maintain a video surveillance system to cover the interior of the Licensed Premises, including the bar area, the front and back entrances and exits and the front sidewalk area on Valley Road, which surveillance system shall be maintained in good working order and operating during all hours when the Licensed Premises is open for business, and recordings shall be kept and made available to the West Orange Police Department upon request for at least thirty (30) days following the date of recording, and the Licensee shall cooperate with the West Orange Police Department in the implementation and maintenance of this video surveillance system; and that
4. The Licensee, every day it is open, shall close its doors to new customers at 12:00 a.m., shall cease the sale of alcoholic beverages at 12:15 a.m., and all customers shall be off the premises by 1:00 a.m.; and

AND BE IT FURTHER RESOLVED, that a copy of this Resolution shall be provided to the Director of the Division of Alcoholic Beverage Control of the State of New Jersey for the Director's approval before implementation and for that Division's records, and shall be maintained in the Township's permanent Alcoholic Beverage Control records.

The above Resolution was passed by the Township Council of the Township of West Orange serving as the West Orange Board of Alcoholic Beverage Control at the Board's regular meeting held on **June 25, 2024**.

KAREN J. CARNEVALE, RMC
ABC Board Secretary

BILL RUTHERFORD
Council President/ABC Board Member

Adopted: June 25, 2024
Effective: June 25, 2024

EXHIBIT “A”

Las Palmeras, Inc. t/a La Dolce Vita Bar Restaurante (formerly Las Palmeras)

Las Palmeras currently has eight (8) matters, with a total of sixty-two (62) violations, pending resolution. Additionally, there are five (5) matters, with a total of eleven (11) charges, under consideration. They are listed below. However, it should be noticed that the charges listed in Notice #4 were committed on November 18, 2018, and not on February 7, 2019, as stated in the notice. An Amended Notice of Charges will be served upon the licensee reflecting same.

NOTICE #1

Violation #1: On April 22, 2018, you allowed, permitted or suffered on or about the licensed premises, a brawl, act or violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2); Recommended Penalty: 1st Offense= 30-day suspension;

Violation #2: On April 22, 2018, you failed to maintain a complete employee list in violation of N.J.A.C. 13:2-23.13(a)(3); Recommended Penalty: 1st Offense= 1-day suspension; and

Violation #3: On April 22, 2018, you refused to make available the video surveillance footage of the licensed premises to the West Orange Police Department upon request as set forth in the Township of West Orange’s Alcoholic Beverage and Control Board Resolution No.: 598-18 in violation of N.J.S.A. 33:1-31h; Recommended Penalty: 1st Offense= 10-day suspension.

NOTICE #2

Violation #1: On July 15, 2018, you failed to conspicuously display on the licensed premises in such plain view as to be easily read by all persons visiting such premises, the current license certificate in violation of N.J.A.C. 13:2-23.13(a)(1); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #2: On July 15, 2018, you failed to provide a copy of the most recent full application and/or current renewal application in violation of N.J.A.C. 13:2-23.13(a)(2); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #3: On July 15, 2018, you failed to maintain a complete employee list in violation of N.J.A.C. 13:2-23.13(a)(3); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #4: On July 15, 2018, you allowed, permitted or suffered on or about the licensed premises, a brawl, act or violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2); Recommended Penalty: 1st Offense= 30-day suspension;

Violation #5: On July 15, 2018, you allowed, permitted or suffered in or upon the licensed premises a nuisance requiring police intervention, or adversely effecting public safety or rights of the public in violation of N.J.A.C. 13:2-23.6(b); Recommended Penalty: 1st Offense= 30-day suspension;

Violation #6: On July 15, 2018, you allowed, permitted the lease of the licensed premises in violation of N.J.S.A. 33:1-26; Recommended Penalty: 1st Offense= 45-day suspension;

Violation #7: On July 15, 2018, your employee(s) hindered or attempted to hinder an ABC investigation in violation of N.J.S.A. 33:1-35/N.J.A.C. 13:2-23.30 in violation of N.J.A.C. 13:2-23.20; Recommended Penalty: 1st Offense= 30-day suspension;

Violation #8: On July 15, 2018, you hindered or attempted to hinder an ABC investigation in violation of N.J.S.A. 33:1-35/N.J.A.C. 13:2-23.30; Recommended Penalty: 1st Offense= 45-day suspension;

Violation #9: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages, directly or indirectly, to an actually or apparently intoxicated person (Person observed on camera 8 actually or apparently intoxicated then later consuming beer) in violation of N.J.A.C. 13:2-23.1(b); Recommended Penalty: 1st Offense= 15-day suspension;

Violation #10: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages, directly or indirectly, to an actually or apparently intoxicated person (Person observed wearing a blue shirt passing out on table who is actually or apparently intoxicated then later consumes beer on patio) in violation of N.J.A.C. 13:2-23.1(b); Recommended Penalty: 1st Offense= 15-day suspension;

Violation #11: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages, directly or indirectly, to an actually or apparently intoxicated person (Person observed wearing a red shirt passing out on table who is actually or apparently intoxicated then later consumes beer on patio) in violation of N.J.A.C. 13:2-23.1(b); Recommended Penalty: 1st Offense = 15-day suspension;

Violation #12: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Male in black shirt and shorts consuming beer from bar on back patio) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #13: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Owner bringing bucket of beer outside for patrons to consume) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #14: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Male in white shirt bringing beer outside and consuming same) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #15: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Male with beard and hat bringing beer outside and consuming same) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #16: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Female employee bringing more beer to patrons outside) in violation of

N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #17: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Male in white plaid shirt outside on patio with beer) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #18: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Female in white dress outside on patio with beer) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #19: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Male in black polo shirt with white stripes outside on patio with beer) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #20: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Male in white polo shirt outside on patio with beer) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension; and

Violation #21: On July 15, 2018, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Male in yellow shirt outside on patio with beer) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension.

NOTICE #3

Violation #1: On August 21, 2018, you allowed, permitted or suffered on or about the licensed premises, a brawl, act or violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2); Recommended Penalty: 1st Offense= 30-day suspension; and

Violation #2: On August 21, 2018, you failed to maintain a complete employee list in violation of N.J.A.C. 13:2-23.13(a)(3); Recommended Penalty: 1st Offense= 1-day suspension.

NOTICE #4

Violation #1: On February 7, 2019, you allowed, permitted or suffered on or about the licensed premises, a brawl, act or violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2); Recommended Penalty: 1st Offense= 30-day suspension;

Violation #2: On February 7, 2019, you allowed, permitted or suffered you licensed place of business to be conducted in such a manner as to become a nuisance requiring police intervention or adversely affecting public safety or rights of the public in violation of N.J.A.C. 13:2-23.6(b); Recommended Penalty: 1st Offense= 30-day suspension;

Violation #3: On February 7, 2019, you allowed, permitted the lease of the licensed premises in

violation of N.J.S.A. 33:1-26; Recommended Penalty: 1st Offense= 45-day suspension;

Violation #4: On February 7, 2019, you allowed, permitted or suffered person(s) on the licensed premises to solicit any beverage, alcoholic or otherwise, at the expense of or as a gift from any customer or patron in violation of N.J.A.C. 13:2-23.18. Please be advised that this violation will be multiplied by each female observed asking or having patrons buy them drinks whereby such females and the bar profited from same. Recommended Penalty: 1st Offense= 10-day suspension;

Violation #5: On February 7, 2019, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages beyond the scope of your license, i.e. in an area which was not designated or described in the license application as a place to be licensed for said sale, service or delivery (Female walking out of bar with beer) in violation of N.J.S.A. 33:1-12; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #6: On February 7, 2019, you failed to comply with the special condition of ceasing the sale of alcoholic beverages at 1:00 a.m. as set forth in the Township of West Orange's Alcoholic Beverage and Control Board Resolution No.: 598-18 in violation of N.J.S.A. 33:1-31h; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #7: On February 7, 2019, you failed to comply with the special condition of having all patrons off the premises before 1:30 a.m. as set forth in the Township of West Orange's Alcoholic Beverage and Control Board Resolution No.: 598-18 in violation of N.J.S.A. 33:1-31h; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #8: On February 7, 2019, you allowed, permitted or suffered the sale and/or use of hookahs and/or tobacco pipes on the licensed premises contrary to Section 12-10 of the Township of West Orange Municipal Code in violation of N.J.S.A. 33:1-31h; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #9: On February 7, 2019, you allowed, permitted or suffered on the licensed premises, illegal activity to be carried on, i.e. sale of single cigarettes less than packs of 20 in violation of N.J.S.A. 54:40A-4.2a/N.J.A.C. 13:2-23.5(c); Recommended Penalty: 1st Offense = 30-day suspension; and

Violation #10: On February 7, 2019, you allowed, permitted or suffered on the licensed premises lewdness and/or immoral activity in violation of N.J.A.C. 13:2-23.6(a)(1); Recommended Penalty: 1st Offense= 30-day suspension.

NOTICE #5

Violation #1: On May 8, 2019, you failed to conspicuously display on the licensed premises in such plain view as to be easily read by all persons visiting such premises, the current license certificate in violation of N.J.A.C. 13:2-23.13(a)(1); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #2: On May 8, 2019, you failed to provide a copy of the most recent full application and/or current renewal application in violation of N.J.A.C. 13:2-23.13(a)(2); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #3: On May 8, 2019, you failed to maintain true book or books of account available on the licensed premises and failed to produce same within seven (7) business days of demand in violation of N.J.A.C. 13:2-23.32; Recommended Penalty: 1st Offense= 30-day suspension;

Violation #4: On May 8, 2019, you failed to maintain a complete employee list in violation of N.J.A.C. 13:2-23.13(a)(3); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #5: On May 8, 2019, you failed to maintain invoices available at the licensed premises and failed to produce same within seven (7) business days of demand in violation of N.J.A.C. 13:2-20.4(b)/ N.J.A.C. 13:2-23.32; Recommended Penalty: 1st Offense= 30-day suspension; and **Violation #6:** On May 8, 2019, you failed to post the Fetal Alcohol Syndrome Warning Notice in a service area as well as on a wall, towel dispenser or other appropriate location in any public rest room for women patrons on the licensed premises in violation of N.J.S.A. 33:1-12a; Recommended Penalty: 1st Offense= 1-day suspension.

NOTICE #6

Violation #1: On July 17, 2019, you failed to provide a copy of the most recent full application and/or current renewal application in violation of N.J.A.C. 13:2-23.13(a)(2); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #2: On July 17, 2019, you failed to maintain true book or books of account available on the licensed premises and failed to produce same within seven (7) business days of demand in violation of N.J.A.C. 13:2-23.32; Recommended Penalty: 1st Offense= 30-day suspension;

Violation #3: On July 17, 2019, you failed to maintain invoices available at the licensed premises and failed to produce same within seven (7) business days of demand in violation of N.J.A.C. 13:2-20.4(b)/ N.J.A.C. 13:2-23.32; Recommended Penalty: 1st Offense= 30-day suspension;

Violation #4: On July 17, 2019, you failed to maintain a complete employee list in violation of N.J.A.C. 13:2-23.13(a)(3); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #5: On July 16, 2019 and July 17, 2019, you violated the special condition that you shall hire one Off-Duty WOPD Officer or private security guard to provide security for the exterior of the Licensed Premises and a Licensed Security Company to provide security for the interior of the Licensed Premises from 9 p.m. until 1:30 a.m. on Fridays, Saturdays, and Sundays with any Security Company, Security Guard, or Officer being licensed under the "Security Officer Registration Act" ("SORA") as set forth in the Township of West Orange's Alcoholic Beverage and Control Board Resolution No.: 598-18 in violation of N.J.S.A. 33:1-31h; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #6: On July 16, 2019, you failed to comply with the special condition of having all patrons off the premises before 1 :30 a.m. as set forth in the Township of West Orange's Alcoholic Beverage and Control Board Resolution No.: 598-18 in violation of N.J.S.A. 33:1-31h; Recommended Penalty: 1st Offense= 10-day suspension;

Violation #7: On July 17, 2019, you allowed or permitted the raffling of sealed containers of alcoholic beverages without a permit in violation of N.J.A.C. 13:2-23.7; Recommended Penalty: 1st Offense= 5-day suspension;

Violation #8: On July 17, 2019, you provided free or complementary drinks in violation of N.J.A.C. 13:2-24.8; Recommended Penalty: 1st Offense= 15-day suspension;

Violation #9: On July 16, 2019, you allowed, permitted or suffered on or about the licensed premises, a brawl, act or violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2); Recommended Penalty: 1st Offense= 30-day suspension;

Violation #10: On July 17, 2019, you knowingly failed to pay to pay excise taxes or other payment required by law to be paid to the State Tax Commissioner in violation of N.J.S.A. 33:1-31(c); Recommended Penalty: 1st Offense= 15-day suspension; and

Violation #11: On July 17, 2019, you allowed, permitted or suffered on the licensed premises, illegal activity to be carried on, i.e. sale of single cigarettes less than packs of 20 in violation of N.J.S.A. 54:40A-4.2a/N.J.A.C. 13:2-23.5(c); Recommended Penalty: 1st Offense= 30-day suspension.

NOTICE #7

Violation #1: On October 7, 2019, you failed to maintain a complete employee list in violation of N.J.A.C. 13:2-23.13(a)(3); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #2: On October 7, 2019, you allowed, permitted or suffered in or upon the licensed premises a nuisance requiring police intervention, or adversely effecting public safety or rights of the public in violation of N.J.A.C. 13:2-23.6(b); Recommended Penalty: 2nd Offense= 60-day suspension;

Violation #3: On October 7, 2019, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages, directly or indirectly, to an actually or apparently intoxicated person in violation of N.J.A.C. 13:2-23.1(b); Recommended Penalty: 1st Offense= 15-day suspension;

Violation #4: On October 7, 2019, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages, directly or indirectly, to an actually or apparently intoxicated person; Recommended Penalty: 1st Offense= 15-day suspension;

Violation #5: On October 7, 2019, you violated the special condition that you shall hire one Off-Duty WOPD Officer or private security guard to provide security for the exterior of the Licensed Premises and a Licensed Security Company to provide security for the interior of the Licensed Premises from 9 p.m. until 1:30 a.m. on Fridays, Saturdays, and Sundays with any Security Company, Security Guard, or Officer being licensed under the “Security Officer Registration Act” (“SORA”) as set forth in the Township of West Orange’s Alcoholic Beverage and Control Board Resolution No.: 598-18 in violation of N.J.S.A. 33:1-31h; Recommended Penalty: 1st Offense= 10-day suspension; and

Violation #6: On October 7, 2019, you failed to comply with the special condition of having all patrons off the premises before 1:30 a.m. as set forth in the Township of West Orange’s Alcoholic Beverage and Control Board Resolution No.: 598-18 in violation of N.J.S.A. 33:1-31h; Recommended Penalty: 5th Offense= 50-day suspension.

NOTICE #8

Violation #1: On December 9, 2019, you failed to maintain a complete employee list in violation of N.J.A.C. 13:2-23.13(a)(3); Recommended Penalty: 1st Offense= 1-day suspension;

Violation #2: On December 9, 2019, you failed to maintain a complete employee list in violation of N.J.A.C. 13:2-23.13(a)(3); Recommended Penalty: 1st Offense= 1-day suspension; and

Violation #3: On October 7, 2019, you failed to comply with the special condition of having all patrons off the premises before 1:30 a.m. as set forth in the Township of West Orange’s Alcoholic Beverage and Control Board Resolution No.: 598-18 in violation of N.J.S.A. 33:1-31h; Recommended Penalty: 6th Offense= 60-day suspension.

CHARGES RECEIVED BUT NOT SERVED

PROPOSED NOTICE #1

Violation #1: On October 7, 2019, you allowed, permitted or suffered on or about the licensed premises, a brawl, act or violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2).

PROPOSED NOTICE #2

Violation #1: On October 13, 2019, you allowed, permitted or suffered on or about the licensed premises, a brawl, act or violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2).

PROPOSED NOTICE #3

Violation #1: On January 7, 2021, you failed to comply with Governor Murphy's Executive Orders specifically but not limited to 183, 194, and 196 in violation of N.J.S.A. 33:1-31(h);

Violation #2: On January 7, 2021, you failed to comply with the special condition of stopping exterior dining service by 12:30 A.M. and all patrons off premises by 1:00 A.M. as set forth in the Licensee's COVID-19 Expansion of Premises Permit, Permit Number 82020 in violation of N.J.S.A. 33:1-31h, 7th Offense, 70-day suspension; and

Violation #3: On January 7, 2021, you sold alcoholic beverages to an intoxicated patron in violation of N.J.A.C. 13:2-23.1(b); 3rd Offense, 90-day suspension.

PROPOSED NOTICE #4

Violation #1: On January 9, 2021, you failed to comply with Governor Murphy's Executive Orders specifically but not limited to 183, 194, and 196 in violation of N.J.S.A. 33:1-31(h);

Violation #2: On January 9, 2021, you failed to comply with the special condition of stopping exterior dining service by 12:30 A.M. and all patrons off premises by 1:00 A.M. as set forth in the Licensee's COVID-19 Expansion of Premises Permit, Permit Number 82020 in violation of N.J.S.A. 33:1-31h; and

Violation #3: On January 9, 2021, you allowed, permitted or suffered in or upon the licensed premises a nuisance requiring police intervention, or adversely effecting public safety or rights of the public in violation of N.J.A.C. 13:2-23.6(b).

PROPOSED NOTICE #5

Violation #1: On February 24, 2021, you failed to comply with Governor Murphy's Executive Orders specifically but not limited to 183, 194, and 196 in violation of N.J.S.A. 33:1-31(h);

Violation #2: On February 24, 2021, you failed to comply with Governor Murphy's Temporary Order 11-5- View of Premises in violation of N.J.S.A. 33:1-31(h); and

Violation #3: On February 24, 2021, you allowed, permitted or suffered in or upon the licensed premises a nuisance requiring police intervention, or adversely effecting public safety or rights of the public in violation of N.J.A.C. 13:2-23.6(b).

June 25, 2024

RESOLUTION

WHEREAS, unless otherwise noted herein, the holder of alcoholic beverage license from the Township of West Orange listed below and made part hereof, has made an application to this Township of West Orange ABC Board to renew said license for the **2023-2024** license term; and

WHEREAS, said licensee has paid all license renewal fees and submitted the appropriate application to renew; and

WHEREAS, a public hearing was held before the Township of West Orange ABC Board on **June 25, 2024** and no one appeared in opposition to any license renewal; and

NOW, THEREFORE, BE IT RESOLVED that the Township of West Orange ABC Board wishes to renew the following alcoholic beverage license set forth for the **2023-2024** license term:

0722-33-031-007 2001 Proof, LLC (Pocket)

KAREN J. CARNEVALE, RMC
ABC Board Secretary

BILL RUTHERFORD
Council President/ABC Board Member

Adopted: June 25, 2024
Effective: June 25, 2024

**TOWNSHIP OF WEST ORANGE, ESSEX COUNTY, NEW JERSEY
WEST ORANGE ABC BOARD
RESOLUTION**

WHEREAS, the Township Council of the Township of West Orange serves as the Township of West Orange Board of Alcoholic Beverage Control; and

WHEREAS, an application has been filed by Harrison Avenue Tavern, Inc., t/a Harrison Avenue Tavern, 36 Harrison Avenue, West Orange, New Jersey 07052, for renewal of its Plenary Retail Consumption License # 0722-33-058-006, for the period **July 1, 2024 through June 30, 2025**, the Application submitted to the Township Clerk and in compliance with New Jersey State Laws regulating the sale, consumption, and distribution of alcoholic beverages; and

WHEREAS, on January 6, 2009, the Licensee represented by counsel and after a public hearing at which there was no opposition, the Township Council of the Township of West Orange sitting as the West Orange Board of Alcoholic Beverage Control, adopted Resolution #421, authorizing the Extension of Licensed Premises and Place to Place transfer for the Harrison Avenue Tavern; and

WHEREAS, the area covered by the expansion of the licensed premises is in the parking lot immediately adjacent to the rear door of the main licensed establishment, is encircled by a portable fence which is covered to prevent the public from viewing the interior portion where the outside bar is located, and that area had been used since 2001 as an area for outdoor dining with a café permit; and

WHEREAS, in forwarding the application for extension or expansion of the licensed premises, the Police Department noted that it was the first found in the Township to include an open area in a parking lot and that while calls for service had been minimal or non-existent, the area proposed for the expansion was contiguous to a residential area; and

WHEREAS, there had been numerous calls for service and complaints to Council members from the residential neighbors due to noise coming from the outdoor bar from both music and customer voices, the number of such complaints totaling 28 in the Spring of 2011; and

WHEREAS, the ABC Board has had considerable problems with noise and quality of life issues with other ABC Licensees adjoining residential neighborhoods in other areas of the Township and as the representatives of and conscience of the community has taken a more proactive approach as a result of such experiences; and

WHEREAS, with respect to its license renewal for the 2011-2012 License term, the Licensee was notified by certified mail, registered return receipt of the ABC Board's intention upon renewal for that License term to reconsider its approval of the expansion of the licensed premises, or in the alternative, to consider the imposition of Special Conditions to address the concerns of the residential neighborhood, and the Licensee having had the opportunity to be heard and through the assistance of counsel, the Township and the Licensee, in order to avoid the

time and expense of a formal hearing came to a voluntary agreement; and

WHEREAS, the Licensee, having installed additional noise reduction components on its outdoor premises in 2011-2012, and the Township having monitored the Licensed premises in order to ensure that the neighborhood residents have the peaceful and beneficial enjoyment of their properties while at the same time permitting the Licensee to reasonably conduct and profit from its business, and the number of noise complaints having lessened, but the noise issues not eliminated, the License having been renewed for each succeeding License period with the same Special Conditions; and

WHEREAS, by letter dated and sent via certified mail to the Licensee on or about **May 22, 2024**, the Licensee was notified of the Township ABC Board's intention to continue the same Special Condition upon renewal for the **2024-2025** License Term and offering a formal hearing in the event there was objection to same by the Licensee; and

WHEREAS, the underlying reasons for the Special Conditions previously imposed on this License have not changed and the Licensee has offered no objection to their continuation, nor made any request for their relaxation, and therefore by its inaction has consented to continuation of the same Special Conditions upon renewal;

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE serving as the Township Board of Alcoholic Beverage Control, does hereby approve the renewal of the Plenary Retail Consumption License heretofore issued to the Licensee, Harrison Avenue Tavern, Inc., t/a Harrison Avenue Tavern, 36 Harrison Avenue, West Orange, New Jersey 07052, License # 0722-33-058-006, for the **2024-2025** licensing term, subject to the following Special Conditions pursuant to *N.J.S.A. 33:1-32*, to be imposed on the outdoor bar only:

- A. The Licensee shall have last call on Sunday at 7:30 p.m., closing at 8:00 p.m.; amplified music to cease at 8:00 p.m.; "amplified music" refers to the jukebox on the premises, the limit modifier (volume control) for which shall not at any time exceed 70 for Zone 3, the outside bar area.
- B. The Licensee shall have last call on Monday at 9:30 p.m., closing at 10:00 p.m.; amplified music to cease at 10:00 p.m.
- C. The Licensee shall have last call on Tuesday at 9:30 p.m., closing at 10:00 p.m.; amplified music to cease at 10:00 p.m.
- D. The Licensee shall have last call on Wednesday at 9:30 p.m., closing at 10:00 p.m.; amplified music to cease at 10:00 p.m.
- E. The Licensee shall have last call on Thursday at 10:30 p.m., closing at 11:00 p.m.; amplified music to cease at 11:00 p.m., all of the foregoing, A., B., C., D., and E., excepting holiday eves which fall on Sunday through Thursday, on which days last call shall be at 12:30 a.m., and closing at 1:00 a.m.
- F. The Licensee shall have last call on Friday (Saturday morning) at 12:30 a.m.,

closing at 1:00 a.m.; amplified music to cease at 1:00 a.m.

- G. The Licensee shall have last call on Saturday (Sunday morning) at 12:30 a.m., closing at 1:00 a.m.; amplified music to cease at 1:00 a.m.
- H. On all nights bartenders and servers shall periodically remind customers to moderate their voices to avoid disturbing the residents of the surrounding residential area and paying special attention to this condition after 10:00 p.m.
- I. Live entertainment shall be limited to Friday and Saturday nights and infrequent special occasions and shall also be limited to the hours between 5:00 p.m. and 10:30 p.m., except the St. Patrick's Day event when music may begin at Noon;

AND BE IT FURTHER RESOLVED, that a copy of this Resolution shall be provided to the Director of the Division of Alcoholic Beverage Control of the State of New Jersey and shall be maintained in the Township's permanent Alcoholic Beverage Control records, and that the Director is, and hereby is, respectfully requested to grant his approval to the foregoing Special Conditions as required by statute, and to communicate that approval to the Township of West Orange, which approval shall then also be maintained in the Township's permanent ABC records;

The above Resolution was passed by the Township Council of the Township of West Orange sitting and serving as the West Orange Board of Alcoholic Beverage Control at their regular meeting held on **June 25, 2024**.

KAREN J. CARNEVALE, RMC
ABC Board Secretary

BILL RUTHERFORD
Council President/ABC Board Member

Adopted: June 25, 2024
Effective Date: June 25, 2024

Approved as to form on the basis of the facts provided:

RESOLUTION

WHEREAS, unless otherwise noted herein, the holders of alcoholic beverage licenses from the Township of West Orange set forth on Exhibit A attached hereto and made part hereof, have made applications to this Township of West Orange ABC Board to renew said licenses for the **2024-2025** license term; and

WHEREAS, said licenses have paid all license renewal fees and submitted the appropriate application to renew; and

WHEREAS, a public hearing was held before the Township of West Orange ABC Board on **June 25, 2024** and no one appeared in opposition to any license renewal; and

NOW, THEREFORE, BE IT RESOLVED that the Township of West Orange ABC Board wishes to renew the following alcoholic beverage licenses set forth for the **2024-2025** license term:

0722-33-002-012 The Pour House, LLC t/a Mama Dags Seafood & Pasta Bar

0722-33-006-009 Misty's Restaurant & Bar Inc. (Pocket)

0722-33-007-001 Crestmont Country Club, Inc.

0722-33-012-002 B.K. Lobster WO, LLC (Inactive)

0722-33-013-003 Castle Rock Bar & Grill, LLC t/a Castle Rock Bar & Grill

0722-33-020-004 Benji's Bagels, LLC t/a Benji's Mexican Grill

0722-33-022-006 Sakura Grill & Buffet, Inc. t/a Kinya Ramen & Sushi Bar

0722-33-029-005 Briad Restaurant Group, LLC t/a TGI Friday's

0722-33-031-007 2001 Proof, LLC (Inactive)

0722-33-048-016 Wilshire Caterers NJ, LLC t/a Wilshire Catering & Grill 350

0722-33-053-002 Fandango Mexican Grill, LLC t/a Fandango Mexican Grill

0722-33-060-009 Wilshire Hospitality Services II, LLC t/a Wilshire Grand Hotel

0722-33-067-010 Fan & Jade, Inc. (Pocket)

0722-36-073-002 Apple Nine Hospitality Mgmt. Inc. t/a Courtyard West Orange

0722-44-027-005 Mountain Society, LLC t/a Mountain Society Wine, Beer & Spirits

0722-44-036-012 West Orange Wine & Liquor, Inc. t/a B&B Liquor

0722-44-061-008 Shaku & Kaamil, Inc. (Pocket)

KAREN J. CARNEVALE, RMC
ABC Board Secretary

BILL RUTHERFORD
Council President/ABC Board Member

Adopted: June 25, 2024
Effective: June 25, 2024