

1. Conference Meeting Agenda

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2. Public Meeting Agenda

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3. Resolutions

3.I. 209-13

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3.VI. 214-13

Documents: [214-13 EXECUTIVE SESSION 11.12.13.PDF](#)

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Documents: [215-13 APPROVING CDS AND VINCENT ABRUSIA \(5\).PDF](#), [215-13 EXHIBIT A.PDF](#)

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4. Ordinance(S) On Second And Final Reading

4.I. 2390-13

Documents: [2390-13 SALARY ORD DEPT. HEADS 2010-2013.PDF](#)

5. Ordinance(S) On First Reading

5.I. 2391-13

Documents: [2391-13 AMENDING CHAPTER 4 SECTION 31 OF TOWNSHIP CODE.PDF](#)

5.II. 2392-13

Documents: [2392-13 ESTABLISHING NOVEMBER GENERAL ELECTION DAY AS DATE FOR MUNICIPAL ELECTION.PDF](#)

5.III. 2393-13

Documents: [WEST ORANGE 3350000 TAX APPEAL REFUNDING BOND ORDINANCE.PDF](#)

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

November 12 , 2013

This is to inform the general public that this meeting is being held in compliance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975. A notice of this meeting was mailed to the Star Ledger and the West Orange Chronicle on November 29, 2012 . A notice of this meeting was also posted on the Bulletin Board in the Municipal Building, West Orange and filed in the office of the Municipal Clerk of the Township of West Orange on November 29, 2012 .

**Roll Call - Councilman Cirilo, Councilman Guarino, Councilman Krakoviak,
Councilwoman Spango, Council President McCartney (Mayor Parisi)**

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6:30 P.M.

- **Discussion : 2014 Township Council Meeting Schedule**

- **Presentation : Our Lady of Lourdes 100th Anniversary Celebration**

- **Council Liaison Announcements**

7:00 P.M.

- Public Meeting

Agenda is subject to change.

AGENDA
November 12, 2013
Township of West Orange
66 Main Street – 7:00 p.m.

This is to inform the general public that this meeting is being held in compliance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975. A notice of this meeting was mailed to the Star Ledger and the West Orange Chronicle on November 29, 2012. A notice of this meeting was also posted on the Bulletin Board in the Municipal Building, West Orange and filed in the office of the Municipal Clerk of the Township of West Orange on November 29, 2012.

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)

1. Pledge of Allegiance.
3. Roll Call – Councilman Cirilo, Councilman Guarino, Councilman Krakoviak, Councilwoman Spango, Council President McCartney (Mayor Parisi)
4. Public Comment
5. *Consent Agenda
 - *5. Approval of Minutes of Previous Meeting-None
 - *6. Report of Township Officers-None
 - *7. Reading of Petitions and Communications and Bids-None
 - *8. Bills
 - *9. Resolutions
 - a. 209-13 Resolution Authorizing a Helicopter Permit for Rock Spring County Club – Arrival of Santa Claus
 - b. 210-13 Resolution Authorizing Raffle Licenses
 - c. 211-13 Resolution of the Township of West Orange Authorizing the Application for Refunding Bond Ordinance to be Filed with the Local Finance Board Pursuant to NJSA 40A:2-51-Tax Appeals
 - d. 212-13 Resolution Authorizing Tax Overpayments Refunds.
 - e. 213-13 Resolution Authorizing an Auction of Abandoned Vehicles
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.
 - f. 214-13 Resolution Authorizing an Executive Session – Potential Matter of Litigation
 - g. 215-13 Resolution Authorizing Township Attorney to Re-retain Computer Design & Services for the Production of an Expert Report in Connection with the Litigation Entitled Township of West Orange v. Link Communications, Ltd. **(resolution to follow)**

- h. 216-13 Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey

10. Ordinances on Second and Final Reading

- a. 2390-13 An Ordinance Amending an Ordinance Creating a Reclassification and Salary Schedule of Certain Township of West Orange Employees Setting Forth Their Titles, Classification and Salary Ranges and Adopting a Salary Guide and Establishing the Employee's Status as a Township Employee and Under the Guidelines of the NJ Department of Civil Service
(previously Tabled on 10.29.13)

11. Ordinances on First Reading

- a. 2391-13 An Ordinance Amending Chapter 4, Section 31 of the Revised General Ordinances of the Township of West Orange, Entitled "Registration of Street Addresses of Non-Resident Property Owners
- b. 2392-13 An Ordinance Establishing the November General Election Day as the Date for the Township of West Orange's Non-Partisan Municipal Election
- c. 2393-13 A Refunding Bond Ordinance Providing for Payment of Amounts Owning to Others for Taxes Levied in and by the Township of West Orange Appropriating \$3,500,000. Therefor and Authorizing the Issuance of \$3,500,00 Bonds or Notes of the Township for Financing the Cost Thereof
- d. 2394-13 An Ordinance Amending and Supplementing Chapter III, Section 3-3, of the Revised General Ordinances of the Township of West Orange Entitled "Rules of Council", "Meetings", and Specifically Section 3-3.1, "Regular Meetings"

12. ABC Hearing-None

13. Adjournment

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

Agenda is subject to change.

RESOLUTION

WHEREAS, for many years the Rock Spring Club (“the Club”), located at 90 Rock Spring Road, West Orange, NJ 07052, has arranged for a small helicopter to land on the grounds of the Club to deliver Santa Claus to Club members and their guests in attendance for a holiday celebration; and

WHEREAS, this year’s annual Santa Claus event is scheduled for Sunday, December 15, 2013; and

WHEREAS, Santa’s reindeer, Rudolph, et als., are not available for the trip at this time of year as they must be well-rested in preparation for their big Christmas Eve Gala event; and

WHEREAS, Santa Claus has again graciously agreed to make arrangements to travel by small helicopter to attend the Club’s annual holiday celebration; and

WHEREAS, the New Jersey Department of Transportation, Division of Aeronautics, Inspection & Aircraft Operation, not wanting to be Scrooge-like and instilled with the spirit of Christmas, does permit and has in the past permitted helicopter landings such as these on country club property when approved pursuant to its application process; and

WHEREAS, the Club, or someone on its behalf, will prepare the required Application for Temporary Aeronautical Facility License for submission to the New Jersey Department of Transportation, and which must be accompanied by, among other documents and things which the Club will provide, a “letter, statement, or certificate from the appropriate governing body which states there is no objection to the issuance of a temporary license (mandatory for all temps)”;

WHEREAS, for this event, the appropriate governing body is the Township Council of the Township of West Orange; and

WHEREAS, in order to accommodate the Club, and relying upon the Club’s experience with this tradition and its assurance that all appropriate security and safety precautions will be taken, the Council President and Members wish to approve and adopt this Resolution in order that Rock Spring Club can include it as an attachment to its application as required and continue this holiday tradition;

NOW, THEREFOR, BE IT RESOLVED, that the West Orange Township Council, the governing body for the Township of West Orange, New Jersey, does and hereby states that it has no objection to the issuance of a Temporary Aeronautical Facility License to the Rock Spring Club, located at 90 Rock Spring Road, West Orange, NJ 07052, for the purpose of permitting transportation and delivery of Santa Claus to the Club at approximately 2:30 p.m., on Sunday, December 15, 2013, for participation in the Club’s traditional Christmas celebration.

Susan McCartney, Council President

Karen J. Carnevale, Municipal Clerk

Adopted: November 12, 2013

RESOLUTION

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

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

<u>Organization</u>	<u>Date of Event</u>	<u>Place</u>	<u>RL #</u>
OLOL Pull Tab Raffle	January 2014 - December 2014	100 Valley Way	7019
OLOL Bingo	January 2014 - December 2014	100 Valley Way	7020

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: November 12, 2013

RESOLUTION OF THE TOWNSHIP OF WEST ORANGE AUTHORIZING THE
APPLICATION FOR REFUNDING BOND ORDINANCE TO BE FILED
WITH THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51

WHEREAS, The Township of West Orange desires to provide funds in the amount not to exceed \$3,500,000.00 to finance the cost of tax appeal refunding notes (hereinafter called "purpose"), a purpose for which obligations are permitted by the Local Bond Law, and

WHEREAS, pursuant to N.J.S.A. 40A:2-51, obligations to finance said purpose may be issued, with the consent of the Local Finance Board in the Division of Local Government Services, in the Department of Community Affairs, which consent is to be endorsed upon a certified copy as passed on first reading of the ordinance authorizing such obligations, if said Board is satisfied, and makes the findings required, and

WHEREAS, The Township Council of the Township of West Orange believing that said proposed ordinance authorizes obligations for a purpose for which obligations are permitted by the Local Bond Law and that the Township's application to the Local Finance Board for its consent shows:

- (a) it is in the public interest to accomplish such purposes,
- (b) said purposes or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Township,
- (c) the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant,
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and such purposes or improvements will not cause any undue financial burden to be placed upon the Township,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange as follows:

Section 1. Application to the Local Finance Board for consideration by said Board of the Township's proposed tax appeal refunding is hereby approved and Bond Counsel, along with the other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in the matters pertaining thereto.

Section 2. The Clerk of the Township Council of the Township of West Orange be and she is hereby directed to prepare and file a certified copy of said proposed ordinance after passage on first reading with the Local Finance Board as a part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record by resolution its findings as provided in said subsection of the Local Bond Law and to endorse its consent upon a certified copy of said ordinance as passed on first reading.

Moved by Councilperson _____, seconded by Councilperson_____ and so ordered on the following roll call vote:

AYES:

NAYS:

ABSTAIN:

Karen J. Carnevale
Township Clerk

Susan McCartney, Council President

Introduced: November 12, 2013

Adopted: December 3, 2013

RESOLUTION

WHEREAS, such West Orange property owners have been overbilled taxes for the year 2013 due to the Assessor's changes of property classifications and assessments in the 2013 Duplicate; and Property owners are entitled to refunds to the extent of such overpayment; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that the Tax Collector and the Treasurer of the Township of West Orange be and they are hereby authorized, empowered and directed to cause to be paid to the taxpayers on the attached list sums in full and final satisfaction of the overpayment of the 2013 taxes.

Adjustments in Extended Duplicate-2013 Overbill refunds due 2013			
Block	Lot	Name and Mailing Address	Property Location (if different than mailing)
<u>Amount</u>			
58	1.04	SETON HALL PREP	120 NORTHFIELD AVE
8080.32		170 NORTHFIELD AVE WEST ORANGE, NJ 07052	
105	3	EAGLE RIDGE PROP ASSOC	
274.66		1 LEONARDO DRIVE WEST ORANGE, NJ 07052	
123	29	HABITAT FOR HUMANITY	112 WHITTLESEY
2654.46		179 VAN BUREN STREET NEWARK, NJ 07105	
152.18	962	OUR HOUSE, INC	2A FOREST AVENUE
12.98		76 FLORAL AVENUE NEW PROVIDENCE, NJ 07974	

152.21 88.60	1391	THE ARC OF ESSEX COUNTY 123 NAYLON AVENUE LIVINGSTON, NJ 07039	TERRACE AVENUE
152.21 5817.48	1392	THE ARC OF ESSEX COUNTY 123 NAYLON AVENUE LIVINGSTON, NJ 07039	19 TERRACE AVENUE
160.02 1993.74	7	HANI SHENOUDA PO BOX 908 ORANGE, NJ 07051	5 ASH ROAD

		TOTAL:	\$
<u>18,922.24</u>			

Karen J. Carnevale, Municipal Clerk

Susan McCartney, Council President

Adopted: November 12, 2013

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 one (1) 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 November 26, 2013 at 2:00 PM in following location:

Twin Towing
1 Lakeside Avenue
West Orange, NJ 07052

The Purchasing Agent is hereby authorized to sell two (2) 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 November 26, 2013 at 3:00 PM in following location:

Select Towing
52 Washington Street
West Orange, NJ 07052

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Adopted: November 12, 2013

213-13
November 12, 2013

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 November 26,, 2013 at 2:00 pm prevailing time, the vehicles listed below. Sale will be held and vehicles may be inspected at: **Twin Towing Inc., 1 Lakeside Avenue, West Orange, NJ 07052.**

<u>YEAR</u>	<u>MAKE</u>	<u>VEHICLE ID</u>
2000	CHEVR	1GNCT18W0YK111478

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 November 26,, 2013 at 3:00 pm prevailing time, the vehicles listed below. Sale will be held and vehicles may be inspected at: **Select Towing, 52 Washington Street, West Orange, NJ 07052.**

<u>YEAR</u>	<u>MAKE</u>	<u>VEHICLE ID</u>
2004	TOY	2T1BR38E24C242588
1998	CHEVY	2GCEK19R6W1145127

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

Anne DeSantis
Purchasing Agent

Publication in WO Chronicle 11/14/2013

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 **November 12, 2013** shall enter into a closed session to consider the following matter(s).

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

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

Potential Matter of Litigation

Township of West Orange v. Link Communications, Ltd.

(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 **November 12, 2013**

Motion: Victor Cirilo

Second: Jerry Guarino

Vote

Aye: 5

Opposed: 0

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Adopted: November 12, 2013

RESOLUTION

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

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

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

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

WHEREAS, pursuant to Resolution No. 121-12, the Township Council authorized the retention of Computer Design and Services, Inc. ("CDS") for thirty (30) hours at a cost of \$3,000 in order to prepare an expert report in connection with the Litigation; and

WHEREAS, pursuant to the Township's retention of CDS, Thomas J. Summers ("Mr. Summers"), employed by CDS as a Senior Systems Administrator and Technology Director at the time, examined Defendant's equipment and the Township's police vehicles and prepared an expert report in connection with the Litigation; and

WHEREAS, pursuant to Resolution No. 174-13, the Township Council authorized the retention of CDS for fifteen (15) hours at a cost of \$1,500 for CDS to prepare for and testify at trial; and

WHEREAS, on September 24, 2013, Mr. Summers notified the Township Attorney's office for the first time that he left the employ of CDS and would not serve as the Township's expert in connection with the Litigation; and

WHEREAS, annexed hereto as Attachment "A" is a copy of a letter from CDS's President to the Township Attorney's office confirming Mr. Summers's refusal to participate as an expert at trial; and

WHEREAS, the Township Attorney's office requires retention of a new expert with technical computer experience to assess the installation and operation of Defendant's equipment and prepare an expert report in connection with the Litigation; and

WHEREAS, CDS, with its new Senior Systems Administrator and Technology Director Vincent Abrusia, possesses the technical computer expertise required by the Township to assist in evaluating the claims in the Litigation; and

WHEREAS, CDS has offered a discounted rate of \$100 per hour in connection with its services preparing an expert report; and

WHEREAS, CDS's services in connection with preparation of this expert report will not exceed \$1,500; and

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

RESOLVED, that \$1,500 shall be allocated for CDS's engagement.

**Karen J. Carnevale, Municipal Clerk,
Municipal Clerk**

**Susan McCartney,
Council President**

Dated:

Adopted: November 12, 2013

808247_1



September 25, 2013

Aziz O. Nekoukar, Esq.
Trenk DiPasquale
347 Mt. Pleasant Ave., Suite 300
West Orange, NJ 07052

Re: Tom Summers's Employment with Computer Design and Services

Dear Mr. Nekoukar:

Mr. Summers recently left Computer Design & Services for another full-time computer technician position. Because the Township of West Orange retained CDS as its expert in this litigation, I discussed the issue of his continuing to serve as your expert in the West Orange v. Link litigation as an independent contractor. As I advised you, Mr. Summers had specifically agreed to do so.

However, based on my understanding of your colleague's conversation with Mr. Summers yesterday afternoon, and based on my subsequent phone call with him yesterday evening, it is clear to me that he is no longer willing to serve as an expert in this matter on behalf of CDS. As he explained to me, this is due to his commitment to his new company, as well as significant personal issues that he is dealing with.

As we have discussed, CDS has employed a new analyst who I believe is qualified to examine the equipment that Mr. Summers analyzed, review his findings, and comment briefly on Mr. Summers's conclusions. I regret this unexpected inconvenience, and hope that CDS can be of further assistance.

Sincerely,

A handwritten signature in cursive script, reading "Matt Rosenthal".

Matt Rosenthal
President, Computer Design & Services

September 25, 2013

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

WHEREAS, final judgment on tax appeals has been rendered by the Tax Court of New Jersey on the petitions of the taxpayers listed on the attached schedule reducing the assessment for the years 2010, 2011, 2012, 2013&2014.

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

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

<u>Block</u>	<u>Lot</u>	<u>Name & Address</u>	<u>YR</u>	<u>Assessment</u>	<u>Reduction Amount</u>
71.01	50	LLEWELLYN-EDISON S&L 83 NORTHFIELD AVE WEST ORANGE, NJ 07052	2010	43,900	\$5,699.54
172.12	4	JOHN & RUTH NOLFI 883 PLEASANT VALLEY WAY WEST ORANGE, NJ 07052	2011	29,000	1,009.49
41	166.07	HASSAN & HUSSAMELDIN 89 SOUTH VALLEY ROAD WEST ORANGE, NJ 07052	2012	42,900	1,520.38
45.08	1	NEIL & NAFI PELINKU 62 UNDERCLIFF TERR. SO WEST ORANGE, NJ 07052	2011	117,800	4,100.62
119	17	MICHAEL TAYLOR 250-252 WATCHUNG AVE WEST ORANGE, NJ 07052	2011 2012 2013	50,000 50,000 50,000	1,740.50 1,772.00 1,824.00
160	10	BRACH/EICHLER, LLC 101 EISENHOWER PKWY ROSELAND, NJ 07068	2010 2012	924,700 590,000	120,053.80 20,909.60

TOTAL: \$158,629.92

Karen J. Carnevale
Municipal Clerk

Susan McCarthy
Council President

Adopted: November 12, 2013

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

John O. Gross, Chief Financial Officer

2013 TAX COURT SPREADSHEETRESOLUTION # 216-13

TAX YEAR	DATE	BLOCK	LOT	QUAL	OLD VALUE	NEW VALUE	DIFFERENCE	TX RATE	REFUND AMOUNT
2010	5/17/2013	71.01	50		215,000.00	171,100.00	43900	0.12983	\$5,699.54
2011	7/12/2013	172.12	4		339,000.00	310,000.00	29000	0.03481	\$1,009.49
2012	8/9/2013	41	166.07		392,900.00	350,000.00	42900	0.03544	\$1,520.38
2011	8/9/2013	45.08	1		967,800.00	850,000.00	117800	0.03481	\$4,100.62
2011	10/11/2013	119	17		400,000.00	350,000.00	50000	0.03481	\$1,740.50
2012	10/11/2013	119	17		400,000.00	350,000.00	50000	0.03544	\$1,772.00
2013	10/11/2013	119	17		400,000.00	350,000.00	50000	0.03648	\$1,824.00
2010	10/31/2013	160	10		4,380,900.00	3,456,200.00	924700	0.12983	\$120,053.80
2012	10/31/2013	160	10		13,680,000.00	13,090,000.00	590000	0.03544	\$20,909.60
TOTALS					<u>21,175,600.00</u>	<u>19,277,300.00</u>	<u>1898300</u>		<u>\$158,629.92</u>

AN ORDINANCE AMENDING AN ORDINANCE CREATING A RECLASSIFICATION AND SALARY SCHEDULE OF CERTAIN TOWNSHIP OF WEST ORANGE EMPLOYEES SETTING FORTH THEIR TITLES, CLASSIFICATION AND SALARY RANGES AND ADOPTING A SALARY GUIDE AND ESTABLISHING THE EMPLOYEE'S STATUS AS A TOWNSHIP EMPLOYEE AND UNDER THE GUIDELINES OF THE NEW JERSEY DEPARTMENT OF CIVIL SERVICE.

BE IT ORDAINED by the Township Council of the Township of West Orange as follows:

SECTION 1. That: an ordinance amending an ordinance adopting and creating the reclassification and salary schedules of certain Township of West Orange Municipal employees, setting a salary guide and establishing the employee's status as a Township employee and under the guidelines of the New Jersey Department of Civil Service as filed in the office of the Municipal Clerk for the following positions:

TITLE	Minimum	Maximum	Maximum	Maximum	Maximum
		1/1/2010	1/1/2011	1/1/2012	1/1/2013
Business Administrator	30,000	149,898	149,898	152,896	155,954
Chief Financial Officer	60,000	118,112	135,000	137,600	140,352
Construction Official	22,000	98,345	98,345	100,312	102,318
Director of Recreation	34,000	115,361	115,361	117,668	120,022
Fire Chief	66,923	142,610	142,610	145,462	148,371
Health Officer	38,000	110,000	110,000	112,200	114,444
Municipal Clerk	67,500	112,152	112,152	119,041	121,422
Municipal Court Administrator	40,000	99,070	99,070	101,051	103,072
Municipal Engineer/Director of Public Works	40,000	143,514	143,514	146,384	149,312
Municipal Department Head	36,000	112,418	112,418	114,666	116,960
Police Chief	84,651	154,336	154,336	157,423	160,571
Purchasing Agent	22,000	90,589	90,589	92,401	94,249
Tax Assessor	22,000	97,414	97,414	99,362	101,350
Tax Collector	24,000	110,746	90,000	91,360	93,187

SECTION 2. This ordinance and the titles and salary ranges herein provided shall become effective January 1, 2010, January 1, 2012, and January 1, 2013.

SECTION 3. All ordinances and parts of ordinances heretofore enacted which are inconsistent with any provision of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 4. This ordinance shall take effect upon final passage and publication in accordance with the laws of the state of New Jersey.

ROBERT D. PARISI, MAYOR

Karen J. Carnevale, Municipal Clerk

SUSAN MCCARTNEY, COUNCIL PRESIDENT

Introduced: October 1, 2013

Adopted: October 29, 2013

2390-13

LEGISLATIVE HISTORY

Range and title changes per 2012 Municipal Budget

Increase 0% - 2010
Increase 0% - 2011
Increase 2% - 2012
Increase 2% - 2013

AN ORDINANCE AMENDING CHAPTER 4, SECTION 31 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED "REGISTRATION OF STREET ADDRESSES OF NONRESIDENT PROPERTY OWNERS"

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, in the County of Essex and State of New Jersey, that Chapter 4, Section 31 of the Revised General Ordinances of the Township of West Orange (the "Revised General Ordinances") is hereby amended as follows:

I. PURPOSE

The purpose of this Ordinance is to require that non-resident owners of one- and two-dwelling unit rental properties file a statutorily-prescribed registration form with the Township Clerk simultaneously with the filing of the registration form prescribed by the Township for non-resident owners of real property within the Township.

II. THE TITLE OF CHAPTER 4, SECTION 31 SHALL BE AND HEREBY IS AMENDED AND SUPERSEDED TO READ AS FOLLOWS:

"Registration of Non-Resident Property Owners."

III. CHAPTER 4, SECTION 31.1 SHALL BE AND HEREBY IS AMENDED AND SUPERSEDED TO READ AS FOLLOWS:

The purpose of this section is to obtain information and maintain a register of the actual residential addresses for non-owner occupied residential dwellings and commercial properties. This section is enacted pursuant to N.J.S.A. 40:48-2.53 and N.J.S.A.46:8-28.

IV. CHAPTER 4, SECTION 31.3 SHALL BE AND HEREBY IS AMENDED AND SUPERSEDED TO READ AS FOLLOWS:

- a. As provided herein, any Non-Occupant Owner of Real Property located within the Township of West Orange shall register said owner's street address with the Township Clerk by completing the form provided by the Township Clerk.
- b. In addition to filing the form required by subsection a., any Non-Occupant Owner of a one- or two-dwelling unit rental property shall also simultaneously file with the Township Clerk a certificate of registration on the form prescribed by the Commissioner of Community Affairs pursuant to N.J.S.A. 46:8-28.

V. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township in conflict with this Ordinance are hereby repealed to the extent of such conflict.

VI. 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.

VII. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

**Honorable Susan McCartney
Council President**

**Honorable Robert D. Parisi
Mayor**

**Karen J. Carnevale
Municipal Clerk**

Introduced: November 12, 2013

Adopted: December 3, 2013

LEGISLATIVE HISTORY

Section 31 of Chapter 4 of the Revised General Ordinances was created by adoption of Ordinance #1519-98 on April 7, 1998. Ordinance #1519-98 was adopted pursuant to N.J.S.A. 40:48-2.53, which authorizes a municipality to enact an ordinance requiring an owner of real property situated within the municipality to register with the clerk of the municipality the street address of the owner's residence when the owner does not reside at the real property. The registration form prescribed by the Township in connection with Section 4-31 of the Revised General Ordinances (the "Township Form") calls for three (3) general categories of information: (1) the name, address, and contact information of the non-resident owner; (2) the address of the West Orange property owned by the non-resident owner; and (3) the current use of the West Orange property owned by the non-resident owner – e.g., industrial, single family home, or commercial.

In the more specific context of non-resident owners of one- and two-dwelling unit rental properties, N.J.S.A. 46:8-28 requires such non-resident owners to file with the municipal clerk a certificate of registration on a form prescribed by the Commissioner of Community Affairs (the "State Form"). The State Form calls for information above and beyond the three (3) general categories of information called for by the Township Form – e.g., name and address of the managing agent of the property, name and address of every holder of a recorded mortgage on the property, and name and address of any fuel oil dealer servicing the property.

This Ordinance amends Section 4-31 of the Revised General Ordinances in order to comply with the requirements of N.J.S.A. 46:8-28 as well as N.J.S.A. 40:48-2.53. *All non-resident owners* of real property within the Township will continue to be required to file the Township Form with the Township Clerk, and *non-resident owners of one- and two-dwelling unit rental properties* will be required to file the State Form simultaneously with the filing of the Township Form. In addition to the benefit of compliance with State regulations, the Ordinance

will further promote the purpose underlying the adoption of Ordinance #1519-98, which is to enhance the Township's ability to respond to and address emergent issues relating to non-owner-occupied rental properties within the Township.

**AN ORDINANCE ESTABLISHING THE NOVEMBER GENERAL ELECTION DAY
AS THE DATE FOR THE TOWNSHIP OF WEST ORANGE'S
NONPARTISAN MUNICIPAL ELECTIONS**

WHEREAS, nonpartisan municipal elections in the Township of West Orange ("Township") are currently held on the second Tuesday during the month of May; and

WHEREAS, pursuant to N.J.S.A. 40:45-7.1, the New Jersey Legislature has amended the applicable statutes to permit municipalities to hold nonpartisan municipal elections on the same day as the general elections in the month of November; and

WHEREAS, it will be more efficient, cost-effective, improve voter turnout, and be in the best interests of the Township and its citizens to hold municipal elections in the month of November at the same time as the General Election;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, in the County of Essex and State of New Jersey, as follows:

SECTION ONE: In accordance with the Uniform Nonpartisan Elections Law, N.J.S.A. 40:45-5, et seq., regular municipal elections in the Township of West Orange shall be conducted on the day of the General Election, specifically the Tuesday after the first Monday in November.

SECTION TWO: Pursuant to the Uniform Nonpartisan Elections Law, the term of any person in office on the date of adoption of this Ordinance shall be extended until the beginning of the term of the person elected to that office on the day of the General Election.

SECTION THREE: The term of any officer elected in the November General Election shall begin on the first day of January subsequent to the General Election.

SECTION FOUR: Any Ordinances of the Township which conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION FIVE: 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.

SECTION SIX: The Ordinance shall take effect upon final passage and publication in accordance with the law.

**Honorable Susan McCartney
Council President**

**Honorable Robert D. Parisi
Mayor**

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

Introduced: November 12, 2013

Adopted: December 3, 2013

809546_1

LEGISLATIVE HISTORY

This Ordinance is intended to employ a mechanism authorized by the State Legislature for streamlining the holding of elections in municipalities in the State of New Jersey. Specifically, in January 2010, the New Jersey Legislature amended the Uniform Nonpartisan Elections Law, N.J.S.A. 40:45-5, et seq. (the “UNEL”). Among other things, the amendments to the UNEL authorized municipalities which hold nonpartisan municipal elections in May to choose to hold regular municipal elections on the day of the General Election, the Tuesday after the first Monday in November. Specifically, N.J.S.A. 40:45-7.1(a) explicitly authorizes municipalities to adopt this format for its regular municipalelections. The adoption of this Ordinance formally adopts the mechanism created by the Legislature.

To that end, this legislation is intended to promote economy, efficiency and cost savings in the administration of municipal elections. The Township budgets approximately \$80,000 for each regular municipal election held in May. In the past, the Township has spent close to all of that amount on, among other things, poll-workers, mailing and printing of sample ballots, polling place fees, required advertisements, and delivery of voting machines. These costs often increase from election to election. Consolidating the regular municipal election with the General Election will defray much of these costs.

Furthermore, adoption of this Ordinance is intended to promote and enhance public safety. Because municipal elections are currently held separate and apart from the General Election, the Township’s public schools and other such polling places remain open to **all** visitors and the public at large for one (1) extra day each year. Consolidation of the elections will mean that all polling places, and more specifically schools, and the children, teachers and administrators in them, will be accessible to the public at large for one (1) fewer day per year. Also, in presidential election years, public schools are closed and there will be no dates on which the public at large is authorized to access the schools.

This legislation is also intended to assist in improving voter turnout, which has historically been lower for regular municipal elections than General Elections. Finally, it must be noted that, pursuant to N.J.S.A. 40:45-7.1(b), adopting this Ordinance means the Township cannot change the timing of the regular municipal elections back to the month of May until: (i) at least ten (10) years have passed since the adoption of this Ordinance; and (ii) a new ordinance providing for elections to occur on the second Tuesday in May has been adopted by the governing body.

**REFUNDING BOND ORDINANCE PROVIDING FOR
PAYMENT OF AMOUNTS OWING TO OTHERS FOR
TAXES LEVIED IN AND BY THE TOWNSHIP OF WEST
ORANGE, IN THE COUNTY OF ESSEX, NEW JERSEY,
APPROPRIATING \$3,350,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$3,350,000 BONDS OR
NOTES OF THE TOWNSHIP FOR FINANCING THE COST
THEREOF.**

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

Section 1. The Township of West Orange, New Jersey (the "Township") is hereby authorized to pay an aggregate amount not exceeding \$3,102,362.17 for amounts owed by the Township to the owners of various properties for taxes levied in the Township, as set forth in a schedule on file with the Tax Collector (the "Schedule"), pursuant to the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law").

Section 2. An aggregate amount not exceeding \$247,637.83 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not exceeding \$3,350,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the seventh anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that

the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the debt provided in this bond ordinance by \$3,350,000. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director of the Division of Local Government Services and signed by the Chief Financial Officer of the Township as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the tax amounts owing as set forth on the Schedule prior to the date that Township incurs debt obligations under this bond ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of tax amounts owing as set forth on the Schedule is \$3,350,000.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

First Reading: _____

Final Reading: _____

Robert D. Parisi
Mayor

Victor Cirilo
Council President

Approved as to form and legality
on the basis of the facts set forth.

Richard Trenk, Esq.
Municipal Attorney

NOTICE

The Bond Ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey, on November 12, 2013. It will be further considered for final passage after public hearing thereon at a meeting of the governing body to be held at the Township Council at the Municipal Building, 66 Main Street, in said Township on December 3, 2013 at ___ o'clock p.m.. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's Office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Refunding Bond Ordinance Providing For Payment Of Amounts Owning To Others For Taxes Levied In And By The Township Of West Orange, In The County Of Essex, New Jersey, Appropriating \$3,350,000 Therefor And Authorizing The Issuance Of \$3,350,000 Bonds Or Notes Of The Township For Financing The Cost Thereof.

Purpose(s): Payment of amounts owed by the Township to the owners of various properties for taxes levied in the Township, as set forth on the Schedule on file with the Tax Collector.

Appropriation: \$3,350,000

Bonds/Notes Authorized: \$3,350,000

Grants (if any) Appropriated: None

Section 20 Costs: \$247,637.83

Useful Life: N/A

KAREN J. CARNEVALE
CLERK

This Notice is published pursuant to N.J.S.A. 40A:2-17

STATEMENT

The Bond Ordinance, the summary terms of which are included herein, has been finally adopted by the Township of West Orange, State of New Jersey on December 3, 2013 and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such Ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: Refunding Bond Ordinance Providing For Payment Of Amounts Owning To Others For Taxes Levied In And By The Township Of West Orange, In The County Of Essex, New Jersey, Appropriating \$3,350,000 Therefor And Authorizing The Issuance Of \$3,350,000 Bonds Or Notes Of The Township For Financing The Cost Thereof.

Purpose(s): Payment of amounts owed by the Township to the owners of various properties for taxes levied in the Township, as set forth on the Schedule on file with the Tax Collector.

Appropriation: \$3,350,000

Bonds/Notes Authorized: \$3,350,000

Grants (if any) Appropriated: None

Section 20 Costs: \$247,637.83

Useful Life: N/A

KAREN J. CARNEVALE
CLERK

Re: TOWNSHIP OF WEST ORANGE

**REFUNDING BOND ORDINANCE FOR PAYMENT OF AMOUNTS
OWING TO OTHERS FOR TAXES**

_____ Certified copy of the Supplemental Debt Statement prepared as of the date of introduction of the ordinance. This should show filing in the Clerk's office as well as in Trenton.

N/A _____ Down Payment Certificate.

_____ Certified copy of the minutes of the meeting of the Township Council held _____ showing introduction of the ordinance.

_____ Affidavit of Publication in local newspaper following introduction of the ordinance.

_____ Certified copy of the minutes of the meeting of the Township Council held _____ showing public hearing and final adoption of the ordinance.

_____ Affidavit of Publication in local newspaper following final adoption of the ordinance.

_____ Clerk's Certificate executed no sooner than 21 days following final publication of the ordinance.

EXTRACT from the minutes of a _____meeting of the
Township Council of the Township of West Orange, in the County of Essex, New Jersey held at
the Municipal Complex in the Township of West Orange on _____at ____
o'clock __.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, KAREN J. CARNEVALE, Clerk of the Township of West Orange, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on _____, 2013 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this _____ day of _____, 2013.

KAREN J. CARNEVALE, Clerk

(SEAL)

EXTRACT from the minutes of a _____ meeting of the
Township Council of the Township of West Orange, in the County of Essex, New Jersey held at
the Municipal Complex in the Township of West Orange on _____ at ____ o'clock
_.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, KAREN J. CARNEVALE, Clerk of the Township of West Orange, in the County of Essex, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on _____
_____ has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ____ day of _____, 2013.

KAREN J. CARNEVALE, Clerk

(SEAL)

CLERK'S CERTIFICATE

I, KAREN J. CARNEVALE, Clerk of the Township of West Orange, in the County of Essex, State of New Jersey, HEREBY CERTIFY as follows:

1. I am the duly appointed Clerk of the Township of West Orange, in the County of Essex, State of New Jersey (herein called the "Local Unit"). In this capacity I have the responsibility to maintain the minutes of the meetings of the governing body of the Local Unit and the records relative to all ordinances and resolutions of the Local Unit. The representations made herein are based upon the records of the Local Unit.

2. Attached hereto is a true and complete copy of an ordinance passed by the governing body of the Local Unit on first reading on _____ and finally adopted by the governing body on _____, 2013, and where necessary approved by the Mayor on _____.

3. On _____ a copy of the ordinance and a notice that copies of the ordinance would be made available to the members of the general public of the municipality who requested copies, up to and including the time of further consideration of the ordinance by the governing body, was posted in the principal municipal building of the Local Unit at the place where public notices are customarily posted. Copies of the ordinance were made available to all who requested them;

4. A certified copy of this ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services.

5. After final passage, the ordinance, a copy of which is attached hereto, was duly published on _____. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a

referendum vote be taken on the action proposed in the ordinance has been presented to the governing body or to me or filed in my office within 20 days after the publication or at any other time after the final passage thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ____ day of _____, 2013.

KAREN J. CARNEVALE, Clerk

[SEAL]

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER III, SECTION 3-3, OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST
ORANGE ENTITLED “RULES OF COUNCIL”,
“MEETINGS”, AND SPECIFICALLY SECTION 3-3.1,
“REGULAR MEETINGS”**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, in the County of Essex, State of New Jersey, that Chapter III, Section 3-3, of the Revised General Ordinances of the Township of West Orange, entitled “Rules of Council”, “Meetings”, and specifically Section 3-3.1, “Regular Meetings”, shall be amended and supplemented as follows:

Section 1. The Revised General Ordinances of the Township of West Orange are amended and supplemented to read as follows:

CHAPTER III RULES OF COUNCIL

3-3 MEETINGS.

3-3.1 REGULAR MEETINGS.

The Township Council shall hold regular meetings commencing at 7:00 p.m., on two Tuesdays of each month of the year, each meeting to be separated from the immediately preceding and succeeding meeting by at least two weeks, except that during the months of July and August there shall only be one (1) regular meeting a month, also on a Tuesday and commencing at 7:00 p.m., and separated by at least two weeks from the preceding and following meetings. The Council shall determine by majority vote of its membership, and by no later than the first meeting in November of the preceding year, the following year’s schedule of regular Council meetings, after reviewing the following year’s calendar for conflicts with holidays, special events and anticipated vacation schedules. Whenever the day fixed for any regular meeting falls upon a legal or national holiday the meeting shall be held at the same hour on the next succeeding day which is not a legal or national holiday. The Council may alter its meeting schedule, including cancellation of, or rescheduling of, any regular Council meeting, by majority vote of its membership and providing sufficient time to provide lawful notice to the public of the change of schedule. In an emergency, including, but not limited to, a power outage at Town Hall, a severe storm, or other occurrence implicating substantial public safety concerns, the Mayor, Business Administrator, or Council President, may summarily cancel a scheduled Council meeting, notifying all Council members and the public by any available and appropriate means and with reasonable promptness under all of the circumstances. (1972 Code § 3-3; Ord. No. 1895-03 § II).

Section 2. The remainder of Chapter III remains unchanged.

Section 3. If any part of this Ordinance is determined to be invalid, such part shall be severed and its invalidity shall not affect the remaining parts of this Chapter.

Section 4. Any and all parts of ordinances which are inconsistent with any of the terms and provisions of this Ordinance shall be and the same are hereby repealed as to and to the extent of such inconsistency.

Section 5. This Ordinance shall take effect upon final passage and publication as required by law.

Susan McCartney, Council President

Robert D. Parisi, Mayor

Karen Carnevale, Municipal Clerk

Approved as to form and legality on the basis of the facts provided.

Introduction: November 12, 2013

Adopted: December 3, 2013

LEGISLATIVE HISTORY

This Ordinance amends the previous version of the Rules of the Council regarding its Regular meeting schedule, setting forth the anticipated minimum schedule, the factors to be considered in creating the schedule, and providing the timing of and manner in which the following year's meeting schedule is to be determined. It also sets forth procedures for cancellation of any meeting after the schedule is in place.