

1. Conference Meeting Agenda

Documents: [CA3 25 14.PDF](#)

2. Public Meeting Agenda

Documents: [PM3.25.14.PDF](#)

3. Resolution(S)

3.I. 08-14

Documents: [08-14 RESOLUTION AS TO PAYMENT FOR BOARDING AND LOCKING 18 CENTRAL AVENUE \(2\)\[1\].PDF](#)

3.II. 46-14

Documents: [46-14 - SKY RIVER HELICOPTER LANDING AT MONTCLAIR COUNTRY CLUB.PDF](#), [46-14 GOLF BALL DROP APPLICATION-NJDOT.PDF](#)

3.III. 47-14

Documents: [47-14 AUTHORIZING ROBERT CANDIDO ESQ AS ACTING PROSECUTOR.PDF](#), [47-14 AGREEMENT FOR RETENTION OF PROSECUTOR.PDF](#)

3.IV. 48-14

Documents: [48-14 GARBAGE REIMBURSEMENT 2013 SUPPLEMENTAL\(1\).PDF](#), [48-14 GARBAGE REIMBURSEMENT 2013 ATTACHMENT 1.PDF](#), [48-14 GARBAGE REIMBURSEMENT 2013 ATTACHMENT 2.PDF](#)

3.V. 49-14

Documents: [49-14 AUTHORIZING SUBORDINATION OF MORTGAGE-47 RIDGEVIEW AVENUE.PDF](#)

3.VI. 50-14

Documents: [50-14 LAST TRANSFERS AND AMEND TEMP EMERGENCY-2014.PDF](#), [50-14 LAST TRANSFERS AND AMEND TEMP EMERGENCY-ATTACHMENT.PDF](#)

3.VII. 51-14

Documents: [51-14 LAST TRANSFERS AND AMEND TEMP EMERGENCY-2014.PDF](#)

3.VIII. 52-14

Documents: [52-14 APPROVING ALICIA SKINNER FOR GRANT WRITING SERVICES.PDF](#), [52-14 CONTRACT WITH ALICIA SKINNER FOR GRANT WRITING.PDF](#)

3.IX. 53-14

Documents: [53-14 AUTHORIZING CODERED NEXT SERVICES AGREEMENT.PDF](#)

3.X. 54-14

Documents: [54-14 AUTH. EXECUTION OF AMENDMENT TO DEVELOPERS AGREEMENT \(COLONIAL WOODS\).PDF](#)

3.XI. 55-14

Documents: [55-14 RAFFLE LICENSES-3.25.14.PDF](#)

3.XII. 56-14

Documents: [56-14 RESOLUTION-AWARD-MAINTENANCE-VARIOUS TOWN OWNED PARCELS-EXTENSION OF CONTRACT.PDF](#), [56-14 AWARD-MAINTENANCE-VARIOUS TOWN OWNED PARCELS-EXTENSION OF CONTRACT.PDF](#)

3.XIII. 57-14

Documents: [57-14 RESOLUTION-AWARD-YALE AND HARVARD TERRACE.PDF](#)

3.XIV. 58-14

Documents: [58-14 RESOLUTION-AWARD-2012 LLEWELLYN PARK RDWY AND SEWER IMP. CONST. PHASE 1.PDF](#)

3.XV. 59-14

Documents: [59-14 RESOLUTION ABANDONED CARS.PDF](#)

3.XVI. 60-14

Documents: [60-14 RESOLUTION AWARD TO ABBRY SECURITY FOR MUNICIPAL COURT 2014.PDF](#), [60-14 AGREEMENT - ABBRY WEST ORANGE MUNICIPAL COURT 2014.PDF](#)

3.XVII. 61-14

Documents: [61-14 RESOLUTION-AWARD-LUDDINGTON RD. SANITARY SEWERS.PDF](#), [61-14 AWARD LUDDINGTON ROAD SANITARY SEWERS\[1\].PDF](#)

3.XVIII. 62-14

Documents: [62.14 AUTH RETENTION OF SORIERO AND ALLIED RISK MANAGEMENT \(2014\).PDF](#), [62-14 AGREEMENT BETWEEN SORIERO-ALLIED AND TOWO.PDF](#)

3.XIX. 63-14

Documents: [63-14 AWARD RECONSTRUCTION-OUTDOOR WADING POOL.PDF](#)

4. Ordinance(S) On Second And Final Reading

4.I. 2402-14

Documents: [2402-14-ADOPTING CHAPTER 2 SECTION 5 CREATING POSITION OF DIRECTOR OF STAFF OPERATIONS.PDF](#)

4.II. 2403-14

Documents: [2403-14 ORDINANCE AMENDING CHAPTER 2, SECTION 14.2.PDF](#)

5. Ordinance(S) On First Reading

5.I. 2404-14

Documents: [2404-14 PROHIBITING CERTAIN ADVERTISING ON REAL PROPERTY AND RELATED STRUCTURES WITHOUT OWN\[1\].PDF](#)

COUNCIL COMMITTEE CONFERENCE MEETING

AGENDA

Council Chambers – 66 Main Street, West Orange, NJ

March 25, 2014

Revised

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 22, 2013. 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 22, 2013.

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

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6:30 P.M.

- a. Update-Public Information Officer-Jessica Glicker
- b. Citation – Select Towing – 30 Years in Business
- b. **Council Liaison Announcements**

7:00 P.M.

- Public Meeting

AGENDA
March 25, 2014
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 22, 2013. 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 22, 2013.

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

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

3. Public Comment

4. *Consent Agenda

***5. Approval of Minutes of Previous Meeting-** March 11, 2014 Public Meeting

***6. Report of Township Officers-**None

***7. Reading of Petitions and Communications and Bids-**None

***8. Bills**

***9. Resolutions**

- a. 08-14 Resolution Authorizing the Boarding and Padlocking of 18 Central Avenue and Placing a Lien on Same for the Township's Costs (pulled from 1.14.14 and 1.28.14 agendas)
- b. 46-14 Resolution Authorizing a Helicopter Landing by Sky River Helicopters, LLC, Bernardsville, NJ at the Montclair Country Club For the Purpose of the Anthony Fasano Foundation Golf Outing on May 5, 2014
- c. 47-14 Resolution Authorizing an Professional Service Contract with Robert Candido, Esquire for the Position of Township Prosecutor for Calendar Year 2014
- d. 48-14 Resolution Authorizing Reimbursement for the Cost of Private Garbage Collection for the Period of January 1, 2013 through December 31, 2013 to Those Entitled Under the Terms of Ordinance 1115-92
- e. 49-14 Request for Subordination of Mortgage/David & Donna Veith-47 Ridgeview Avenue
- f. 50-14 Resolution Authorizing 2013 Budget Appropriation Transfers Pursuant to NJSA 40A:4-58
- g. 51-14 Resolution Authorizing Emergency Temporary Appropriation for the Purpose of Funding Eminent Tax Appeals Prior to Adoption of 2014 Budget-NJS 40A:4-20

- h. 52-14 Resolution Authorizing the Appointment of Alicia Skinner t/a Skinner Consulting Services as the Township's Grant Writer for a Fee of \$2,333.33 Per Month for a Period of One Year Commencing on March 1, 2014 until February 28, 2015
- i. 53-14 Resolution Authorizing Agreement with Emergency Communications Network, LLC for Automatic Emergency and Notification System
- j. 54-14 Resolution Authorizing Amendment to Developer's Agreement Between Township and RNC Developers, Inc. (formerly Colonial Woods, LLC)
- k. 55-14 Resolution Authorizing Raffle Licenses
- l. 56-14 Resolution Extending the Contract with D'Onofrio and Son, Inc., Landscaping, 47 Van Ness Terrace, Maplewood, NJ 07040 beginning April 1, 2014 through November 30, 2014 for the Maintenance of Various Township Owned Parcels, including Turf Maintenance, Litter and Debris Collection and Disposal, Weed Control and Fall Leaf Collection and Disposal in the Amount of \$135,000.00
- m. 57-14 Resolution Authorizing an Award of Contract to A&J Contractors Group, Inc., 105 Federal Road, Monroe Township, NJ 08831, for Road Improvements to Yale Terrace and Harvard Terrace in the amount of \$318,706.20
- n. 58-14 Resolution Authorizing Additional Construction Phase Services Associated with the 2012 Llewellyn Park Roadway and Sewer Improvements to Jenne Associates, LLC, 1362 Crim Road, Bridgewater, NJ 08807 in an Amount NTE \$30,000
- o. 59-14 Resolution to Authorizing the Sale of Abandoned Vehicles
- p. 60-14 Resolution to Award a Contract for the West Orange Municipal Court Unarmed Security to Abbry Security Company LLC/FCDC Services, 31 Styertowne Road, Bldg. D., Clifton, NJ
- q. 61-14 Resolution Authorizing a Contract for Professional Land Surveying Services for Luddington Road Sanitary Sewers to Suburban Consulting Engineers, Inc., 100 Valley Road. Suite 202, Mt. Arlington, New Jersey 07856 for an Amount NTE \$8,110.00
- r. 62-14 Resolution Authorizing an Agreement with Peter Soriero, d/b/a Allied Risk Management Services, 3 Cypress Point Lane, Monroe Township, NJ 08831, for Insurance Consulting Services and Risk Management in an Amount NTE \$20,000.
- s. 63-14 Resolution Authorizing a Contract for the Project "Reconstruction of the Outdoor Wading Pool at the Ginny Duenkel Municipal Pool, William Street and Cherry Street" to Cypreco Industries, Inc., 1420 9th Avenue, Neptune, New Jersey 07754 for the Base Bid and Alternate No. 1 in the Amount of \$227,723.
This project will reconstruct the existing wading pool at the Ginny Duenkel Municipal Pool and add a spray pad with five water toys and a sixth water toy in the reconstructed wading pool. (resolution to follow)

10. Ordinances on Second and Final Reading

- a. 2402-14 An Ordinance Creating New Township Code Section, Chapter 2, Section 5.3 In Order to Create New Position of "Director of Staff Operations"
- b. 2403-14 An Ordinance Amending Chapter 2, Section 14.2 of the Revised General Ordinances of the Township of West Orange, Entitled "Department Generally; Table of Organization"

11. Ordinances on First Reading

- a. 2404-14 An Ordinance Creating Chapter 25, Section 15A of the Revised General Ordinance of the Township of West Orange, Entitled “Prohibition of Certain Advertising on Real Property Without Owner’s Permission”

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.

08-14
March 25, 2014

RESOLUTION

WHEREAS, certain property located at 18 Central Avenue, known as the "Select-O Flash" site (the "Property") in the Township of West Orange (the "Township") has been deemed to be an unsafe structure and an imminent hazard pursuant to N.J.S.A. 52:27D-132 and N.J.A.C. 5:23-2.32 by the Township Construction Official; and

WHEREAS, the Construction Department has found the Property to be abandoned and left open to the public in violation of N.J.A.C. 5:23-2.32; and

WHEREAS, the Construction Official has determined that the Property is unfit for human habitation, occupancy or use, pursuant to Township Code 14-17 *et seq.*; and

WHEREAS, the Construction Department posted on the door of the Property a notice that the Property has been determined to be an imminent hazard; and

WHEREAS, an inspection by the Township Fire Prevention Bureau has disclosed that the fire protection, fire sprinkler, fire alarms and/or standpipe system at the Property have not been maintained, in violation of N.J.A.C. 5:70-3.311.2.2; and

WHEREAS, the Construction Official has recently received multiple reports of certain individuals occupying and vandalizing the Property; and

WHEREAS, the Construction Official has Ordered that the Property be boarded and padlocked to prevent individuals from entering the Property, as authorized by N.J.S.A. 40:48-2.3, N.J.A.C. 5:23-2.32(b)(5), and Township Code 14-17.3(d); and

WHEREAS, pursuant to N.J.S.A. 40:48-2.12f and 40:48-2.5, the Township is authorized to place a lien on the Property for the costs it incurs in boarding and padlocking the Property; and

WHEREAS, the Construction Official will prepare a detailed statement of all costs associated with the boarding and padlocking of the Property, pursuant to N.J.S.A. 40:48-2.5; and

WHEREAS, the statement of costs will be filed with the Township Tax Assessor and a copy thereof will be forwarded to both parties with an interest in the Property, Valerie and Joe Shondel, 20 Pepperidge Tree Terrace, Kinnelon, NJ 07405 and Valley National Bank, P.O. Box 558, Wayne, NJ 07470, by registered mail, pursuant to N.J.S.A. 40:48-2.5; and

WHEREAS, New Jersey Statutes and the Township's Ordinances permit the Township to take the emergent action described herein and place a lien against the real Property in the amount of the costs incurred by the Township in boarding and padlocking the Property;

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that a lien in the amount of \$1,943.18 shall be placed against 18 Central Avenue, West Orange as the amount of the costs incurred by the Township in boarding and padlocking the Property, and be it further

RESOLVED, that the Township shall continue to take all necessary and appropriate steps to safeguard the premises for the benefit of the neighborhood and the Township.

**Karen J. Carnevale,
Municipal Clerk**

**Susan McCartney,
Council President**

**John O. Gross,
Chief Financial Officer**

01-2030-00-9402-60	1,943.18
Account #	Amount \$

Adopted: March 25, 2014

RESOLUTION

WHEREAS, Montclair Country Club in West Orange proposes to have a helicopter landing on May 5, 2014; and

WHEREAS, the helicopter is to be operated by Sky River Helicopters, LLC ("Sky River") of Bernardsville, New Jersey which asserts that it holds all applicable licenses; and

WHEREAS, Sky River provide proof that it has a one (1) day permit from the New Jersey Department of Transportation Division of Aeronautics Inspection and Aircraft Operation ("State"); and

WHEREAS, Sky River and Montclair Country Club shall comply with all applicable federal, state and local laws regarding the operation and landing of the helicopter; and

WHEREAS, Montclair Country Club is holding the Anthony Fasano Foundation Golf Outing on May 5, 2014 and has sought approval for the helicopter landing; and

WHEREAS, Sky River has provided a Certificate of Insurance listing the Township as an additional insured; and

WHEREAS, the Police Department has been made aware of and has no objection to the proposed landing;

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that Montclair Country Club, 25 Prospect Avenue, West Orange, New Jersey and Sky River Helicopters, LLC of Bernardsville, New Jersey be and are hereby granted a limited permission to land the helicopter on May 5, 2014 subject to all federal, state and local laws.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: March 25, 2014



**NEW JERSEY DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS
INSPECTION & AIRCRAFT OPERATION**

<http://www.nj.gov/transportation/airwater/aviation/>

Phone: 609-530-2900/Fax: 609-530-5270

APPLICATION FOR TEMPORARY AERONAUTICAL FACILITY LICENSE

\$10.00	☐	AIRPORT	\$20.00	☐	PARACHUTE DROP ZONE
\$10.00	☐	BALLOONSPOT	\$10.00	☐	SEAPLANE BASE
\$10.00	☐	BLIMP MOORING MAST	\$15.00	☐	ULTRALIGHT REC FACILITY
\$10.00	☐	HELIPORT	\$10.00	☐	VERTIPORT
\$10.00	x	HELISTOP	T#		

APPLICANT INFORMATION

NAME: Sky River Helicopters LLC		
ADDRESS: 92 Pill Hill Road Bernardsville		
STATE: NJ		07924
OFFICE PHONE: 908-809-5942	HOME PHONE/CELL:	
FAX: 908-630-0776	EMAIL ADDRESS: cwrenn23@gmail.com	

APPLICANT REPRESENTATIVE INFORMATION

(Person responsible for the conduct of the operation)

NAME: Carol Wrenn		
ADDRESS: 92 Pill Hill Road		
CITY: Bernardsville	STATE: NJ	ZIP: 07924
PHONE: 908-809-5942	EMAIL ADDRESS: cwrenn23@gmail.com	
FAX: 908-630-0776	OTHER:	

LOCATION (Please fill in all fields)

FACILITY/LOCATION NAME: Montclair Golf Club		PURPOSE: <i>GOLF BALL DROP</i>
ADDRESS: 25 Prospect Ave		Latitude: <i>40°49'06"N</i> Longitude: <i>74°14'29.97 W</i>
CITY: West Orange	NJ	ZIP: <i>07052</i>
TOWNSHIP / BOROUGH ☐ :		COUNTY: <i>ESSEX</i>
DATE(S) TO BE USED: May 5 th 2014 TIME(S): Between 2-6 pm		ALTERNATE DATE(S): May 12, 2014 TIME(S): Between 2-6 pm

1. Has the facility been used previously? ☒ If "Yes", by whom and when? Sky River Helicopters-May 2012 and 2013

2. What provisions will be made to safeguard the public (spectators)? (Be specific) A location away from spectators has been chosen for the landing and ball drop

3. If night operation, describe landing/takeoff area lighting. N/A

AIRCRAFT SPECIFICATIONS

MAKE	MODEL	FAA REGISTRATION NO.
Robinson	R-44	N866SR

PILOT INFORMATION

NAME	LICENSE NUMBER	RATING
Evan Van Gilson	3391907	CPL, CFI, Instrument

THE FOLLOWING "APPROPRIATE" ATTACHMENTS MUST BE SUBMITTED TO COMPLETE THE APPLICATION PROCESS:

ATTACHMENTS

	Check ☒
A letter, statement, or certificate from the appropriate governing body which states there is no objection to the issuance of a temporary license. Governing body approval must be signed by one of the following: mayor, township administrator, business administrator or chief-of-police. Governing body resolutions for specific events are acceptable.	☐
A sketch or map that includes sufficient detail to demonstrate the proposed facility is capable of accepting the operation (e.g., http://www.topozone.com/viewmaps.asp or http://www.googleearth.com). Please add dimensions of the area to the sketch or map.	X
Banner towing facilities: include a sketch of the designated drop and pickup area which shows the air traffic pattern for pickup and drop off of the banner.	☐
Parachute drop zones for parachuting exhibitions , the sketch shall include at least a 200 foot by 200 foot clear target/touchdown area and all obstacles and terrain within 1000 feet of the center of the target/touchdown area.	☐
Parachuting exhibitions & Banner Towing activities , submit required FAA Certificate of Waiver or Authorization.	☐
Certification from landowner that the area(s) to be utilized are under the control of the applicant or are being used with their permission (copy of letter from owner attached).	X
Aircraft specifications (see list above) and performance data (when requested).	X
List of airmen and other persons (and their qualifications) intending to utilize the facility (above).	X
Copy of required FAA Notice of Landing Area Proposal (FAA Form 7480-1 – available at: http://www.faa.gov/), when required. <i>Required for all ultralight recreational facilities.</i>	☐
Sightseeing rides given by an airplane or helicopter (Non Part 135) , submit copy of FAA Letter of Authorization (FAR 91.147). Note: Sightseeing rides for a charitable fund raiser or community event , a letter must be submitted to the FAA FSDO (FAR 91.146) explaining the event details and a copy included with this application.	☐
Commercial Activities only , submit a copy of NJ Business Registration Certificate (http://www.state.nj.us/treasury/revenue/busregcert.htm).	X
Application Fee (see top of page 1), payable to the NJDOT Division of Aeronautics. Mail completed application with a check, money order or cashier's check to: NJDOT DIVISION OF AERONAUTICS, 1035 PARKWAY AVE, PO BOX 600, TRENTON, NJ 08625 ATTN: LICENSING MANAGER	☐

APPLICANT SIGNATURE

DATE

*** APPLICANT - PLEASE INCLUDE THIS PAGE ***

FOR USE BY THE DIVISION OF AERONAUTICS ONLY

Required Documents:	Municipal Authorization	Yes ☐	No ☐	
	Diagram/Sketch	Yes ☐	No ☐	
	Applicant or Land Owner Certification	Yes ☐	No ☐	
	FAA Waiver	Yes ☐	No ☐	N/A ☐
	FAA Form 7480-1	Yes ☐	No ☐	N/A ☐
	List of Pilots	Yes ☐	No ☐	N/A ☐
	Aircraft Specifications	Yes ☐	No ☐	N/A ☐
	Aircraft Performance Data	Yes ☐	No ☐	N/A ☐
	Appropriate Fee	Yes ☐	No ☐	N/A ☐
INSPECTOR NOTES:				

RECOMMEND: Approval ☐
 Disapproval ☐

 Inspector's Signature

 Date

APPROVING OFFICIAL:	
Signature: _____	_____
	Date
Screened by NJ Department of Transportation	☐ Approved ☐ Disapproved
Reasons for Disapproval	



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Google earth

Google earth

feet 500
meters 100



P.O. Box 194
Montclair, New Jersey 07042



Tel: 973-239-1800
Fax: 973-239-3504

March 7th, 2014
Sky River Helicopters
Carol Wren,

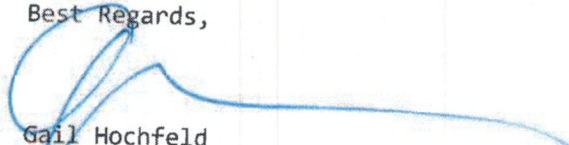
Dear Ms. Wren,

I am confirming that the Sky River Helicopter Company has permission to both land on our golf course and perform a "Ball Drop" for the Anthony Fasano Foundation Golf Outing being held at the Montclair Golf Club located at 25 Prospect Avenue in West Orange, New Jersey on May 5th, 2014. The exact location and perimeters for this drop will be very specific and coordinated with our Greens Superintendent (who you spoke briefly with last week Greg Vadala), and Mike Strleker who is our Golf Pro.

Mike Strleker can be reached by calling the club's main number - 973-239-1800 and being transferred to extension 120. Greg Vadala can be reached on his cell phone which is 973-997-8301.

Should you need anything else from me, please feel free to either call or e-mail me.

Best Regards,



Gail Hochfeld
Assistant General Manager

Cc: Daniel Somogyi, General Manager
Mike Strleker, Golf Pro
Greg Vadala, Greens Superintendent
Pat Capra, President - Lunar Sports

01/25/10

Taxpayer Identification# 271-572-181/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

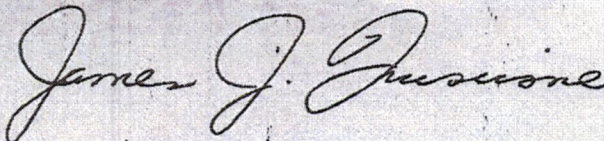
Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08646-0252

TAXPAYER NAME:

SKY RIVER HELICOPTERS LLC

TRADE NAME:

ADDRESS:

70 AIRPORT ROAD
PITTSFORD NJ 08867

EFFECTIVE DATE:

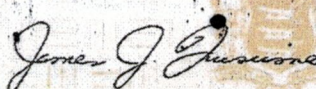
01/25/10

SEQUENCE NUMBER:

1538314

ISSUANCE DATE:

01/25/10



Director
New Jersey Division of Revenue

FORM-BRC

(04-08), D205846V

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

RESOLUTION

WHEREAS, Robert Candido, Esquire, has provided professional services for the Township of West Orange as Acting Prosecutor for over three (3) years; and

WHEREAS, Mr. Candido responded to the Township's Request for Qualifications pursuant to the fair and open process for the year 2014; and

WHEREAS, the Law Department recommends retention of Mr. Candido as Prosecutor to the Township for the purpose of representing the Township of West Orange Municipal Court; and

WHEREAS, Mr. Candido has agreed to provide professional services for the balance of the calendar year 2014, pursuant to the terms and conditions set forth in the agreement annexed hereto as Attachment "A"; and

WHEREAS, pursuant to pursuant to N.J.S.A. 40A:11-5(1)(a)(i), the proposed professional services contract is subject to an exception to the standard bidding procedures set forth in the Local Public Contracts Law;

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to execute an agreement, in the form annexed hereto, to retain Robert Candido, Esq. for the position of Township Prosecutor on the terms and conditions set forth in the Agreement and the Municipal Clerk shall be and hereby is authorized to attest to the Mayor's signature; and it is further

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

**Karen J. Carnevale,
Municipal Clerk**

**Susan McCartney,
Council President**

Adopted: March 25, 2014

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

JOHN O. GROSS, CFO

AGREEMENT FOR RETENTION OF PROSECUTOR

THIS AGREEMENT made and entered into on this ____ day of March, 2014 by and between the **TOWNSHIP OF WEST ORANGE**, a municipal corporation of the State of New Jersey, located at Town Hall, 66 Main Street, West Orange, County of Essex and State of New Jersey, hereinafter called the "TOWNSHIP", party of the first part, and **ROBERT CANDIDO, ESQUIRE**, Attorney at Law of the State of New Jersey, located at 425 Pompton Avenue, Cedar Grove, New Jersey 07009, hereinafter referred to as "COUNSEL", party of the second part.

WITNESSETH THAT:

WHEREAS, the Governing Body of the Township has determined that it is in the best interests of the Township to retain the services of Mr. Candido to serve as Prosecutor for the Township on the terms set forth herein;

NOW, THEREFORE, in consideration of the mutual promises, terms and conditions hereinafter set forth, the parties hereto agree as follows:

1. The Township hereby retains the services of Robert Candido as Prosecutor to assist the Township in West Orange Municipal Court for the period March 1, 2014 through December 31, 2014 at a flat rate of One Thousand Dollars (\$1,000) per week. COUNSEL shall be an independent contractor for all purposes. COUNSEL shall be responsible to comply with all tax and other obligations of the United States and New Jersey and The Supreme Court of New Jersey. COUNSEL shall not be entitled to any medical or other benefits. COUNSEL shall comply with all provisions of the Rules of Professional Conduct (RPCs) and other ethical requirements of the State of New Jersey and shall not appear or defend any client in the Superior Court of New Jersey, Essex County, Criminal Division or the West Orange Municipal Court.

2. COUNSEL will not seek reimbursement for any costs and expenses such as postage, copying, mileage, meals, secretarial, parking, travel, telephone, faxes, computer usage, received or delivery of documents.

3. COUNSEL may seek reimbursement for extraordinary expenses such as the cost of transcripts or hiring experts. Counsel will not incur any such expenses without the approval of the Township Attorney.

4. COUNSEL's responsibilities shall include all pre-trial preparation, discovery and trial, to the extent necessary, for all criminal and related prosecutions in The Municipal Court of the Township and any appeals therefrom.

5. COUNSEL shall coordinate all efforts with the Township Attorney and keep him advised as to any matters.

6. COUNSEL recognizes that any and all approval for engagement of services must come from the Governing Body of the Township, and that no services, work or any efforts relative to this Agreement shall be commenced until the Governing Body adopts a duly authorized Resolution accompanied by a Certificate of Funds.

7. COUNSEL is hereby placed on notice that the Billing Guidelines of the Township shall apply to this Agreement for professional services. COUNSEL is further noticed that no Department Head, individual member of the Governing Body, or any agent, servant or employee of the Township possesses any lawful authority to: (a) engage the rendition of services or the performance of work; (b) authorize the continuation of services or work beyond the amount specifically approved in the Resolution and Certificate of Funds; or to (c) represent that future funds will be available as compensation for current services. Any such acts shall be deemed ultra vires and beyond the scope of any authority that individual may possess. No bills, statement or vouchers for any amount exceeding that originally approved will be honored or paid by the Township, irrespective of whether such services were actually performed.

8. During the term of this agreement, COUNSEL shall maintain professional liability malpractice insurance coverage with an insurance company licensed and authorized to do business in the State of New Jersey with coverage not less than \$1,000,000. COUNSEL shall provide the Township Attorney and Municipal Clerk with proof of a valid certificate of insurance listing the TOWNSHIP as a certificate holder. To the extent that this insurance coverage is scheduled to lapse at any time before the end of the contract, COUNSEL shall provide proof of renewal or new insurance coverage no later than thirty (30) days before the termination of the current coverage. Failure to provide proof of insurance shall be grounds for termination.

9. COUNSEL shall be responsible for coverage of all sessions of the West Orange Municipal Court. To the extent that COUNSEL is ill or has an emergent matter before another Court, he shall be solely responsible to obtain timely coverage for all West Orange sessions at his sole cost and expense. Any attorney who handles any absences must be an Attorney at Law of the State of New Jersey in good standing with the same insurance coverage as COUNSEL. If COUNSEL misses three (3) or more consecutive sessions on a total of five (5) sessions during the term of this Agreement, the Township may terminate this Agreement.

10. The provisions of this agreement are subject to the limitations of provisions of the New Jersey Tort Claim Act, N.J.S.A. 59:2-1 et seq., and the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1 et seq.

11. This Agreement shall be governed by the laws of the State of New Jersey without regard to principles of conflict of laws. All contract claims under this agreement shall be subject to and governed by the provisions of the New Jersey Contractual Liability Act (N.J.S.A. 59:13-1 et seq.

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first above written.

TOWNSHIP OF WEST ORANGE

ATTEST:

KAREN J. CARNEVALE, R.M.C

By:_____
ROBERT D. PARISI, MAYOR

LAW OFFICES OF ROBERT CANDIDO

WITNESS:

By:_____
ROBERT CANDIDO
For the Firm

RESOLUTION

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

WHEREAS, this council desires to reimburse those home owner associations or individuals; who have complied with the terms of Ordinance # 1115-92, for the cost of private garbage collection for the period January 1, 2013 through December 31, 2013; and

WHEREAS, there is attached hereto and made a part hereof a report of the Township Business Administrator detailing the names of those who have filed to date for reimbursement and the sum of monies the applicants are entitled to for the period January 1, 2013 through December 31, 2013; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the private home owner associations or individuals set forth in the attached report of the Business Administrator and those who subsequently apply be paid the sums set forth therein as reimbursement for their costs of private garbage collection for the period January 1, 2013 through December 31, 2013; and

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

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: March 25, 2014

GARBAGE REIMBURSEMENT
2013

<u>VENDOR #</u>	<u>PERIOD</u>	<u>APPLICANT</u>	<u>UNITS</u>	<u>Rate</u>	<u>12 month REIMBURSEMENT</u>
15	1/1/-12/31/2013	Rhett & Angelina Zidziunas 38 EAGLE RIDGE WAY	1	107.69	107.69

MEMORANDUM
CERTIFICATION OF SOLID WASTE COSTS
2013

		<u>From</u> <u>To</u>	1/1/2013 9/30/2013 Old Contract Prorata REIMBURSEMENT	9/30/2013 12/31/2013 New Contract Prorata REIMBURSEMENT	1/1/2013 12/31/2013 Full Year REIMBURSEMENT
Refuse Collection Services per unit per month			4.50	4.17	
Bulky Trash Collection per unit per month			<u>3.94</u>	<u>3.14</u>	
Total Collection Fee per month based upon bidded contract			8.44	7.31	
Total Collection Fee per year per unit prorata per contract (a)			75.47	22.11	97.58
Tipping Fee @ Essex Co. Resource Facility	86.45		86.45	86.45	86.45
Ton of Solid Waste per unit per year*	<u>0.50</u>		<u>0.37</u>	<u>0.13</u>	<u>0.50</u>
Total Tipping Fee per unit per fee (b)	<u>43.23</u>		<u>32.21</u>	<u>11.01</u>	<u>43.22</u>
Total Solid Waste Cost per unit per year ("a" plus "b")			107.69	33.12	140.80
Llewellyn Park Fee (two (2) times "a" plus "b")			183.16		

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

John O. Gross
Director of Finance

RESOLUTION

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

WHEREAS, this council desires to reimburse those home owner associations or individuals; who have complied with the terms of Ordinance # 1115-92, for the cost of private garbage collection for the period January 1, 2013 through December 31, 2013; and

WHEREAS, there is attached hereto and made a part hereof a report of the Township Business Administrator detailing the names of those who have filed to date for reimbursement and the sum of monies the applicants are entitled to for the period January 1, 2013 through December 31, 2013; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the private home owner associations or individuals set forth in the attached report of the Business Administrator and those who subsequently apply be paid the sums set forth therein as reimbursement for their costs of private garbage collection for the period January 1, 2013 through December 31, 2013; and

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

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: March 25, 2014

GARBAGE REIMBURSEMENT
2013

<u>VENDOR #</u>	<u>PERIOD</u>	<u>APPLICANT</u>	<u>UNITS</u>	<u>Rate</u>	<u>12 month REIMBURSEMENT</u>
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Total Solid Waste Cost per unit per year ("a" plus "b")			107.69	33.12	140.80
Llewellyn Park Fee (two (2) times "a" plus "b")			183.16		

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

John O. Gross
Director of Finance

RESOLUTION

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WHEREAS, there is attached hereto and made a part hereof a report of the Township Business Administrator detailing the names of those who have filed to date for reimbursement and the sum of monies the applicants are entitled to for the period January 1, 2013 through December 31, 2013; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the private home owner associations or individuals set forth in the attached report of the Business Administrator and those who subsequently apply be paid the sums set forth therein as reimbursement for their costs of private garbage collection for the period January 1, 2013 through December 31, 2013; and

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

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: March 25, 2014

GARBAGE REIMBURSEMENT
2013

<u>VENDOR #</u>	<u>PERIOD</u>	<u>APPLICANT</u>	<u>UNITS</u>	<u>Rate</u>	<u>12 month REIMBURSEMENT</u>
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MEMORANDUM
CERTIFICATION OF SOLID WASTE COSTS
2013

		<u>From</u> <u>To</u>	1/1/2013 9/30/2013 Old Contract Prorata REIMBURSEMENT	9/30/2013 12/31/2013 New Contract Prorata REIMBURSEMENT	1/1/2013 12/31/2013 Full Year REIMBURSEMENT
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Total Solid Waste Cost per unit per year ("a" plus "b")			107.69	33.12	140.80
Llewellyn Park Fee (two (2) times "a" plus "b")			183.16		

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

John O. Gross
Director of Finance

RESOLUTION

WHEREAS, the Township of West Orange Housing Rehabilitation Program has a mortgage against certain real property owned by David and Donna Veith (the "Owners") residing at 47 Ridgeview Avenue, Block 42.02, Lot 146 (the "Property"), in the amount of Fourteen Thousand, Six Hundred and Seventy Dollars (\$14,670.00), which was dated November 3, 2006 and recorded in the Essex County Register's Office on May 30, 2007 in Book 12059, Page 758 (the "WOHRP Mortgage"); and

WHEREAS, there is a first mortgage on the Property from Wells Fargo Bank, N.A. in the outstanding amount of One Hundred and Sixty-Four Thousand, Eight Hundred and Thirty-Four Dollars and Fifty-Two Cents (\$164,834.52) (the "First Mortgage"); and

WHEREAS, the Owners desire to refinance their home and obtain a new mortgage loan from Investors Bank ("Investors") in the amount of Forty Thousand Dollars (\$40,000.00), with an introductory interest rate of 3.24% for the first six months, and a variable interest rate thereafter (the "New Mortgage"); and

WHEREAS, the New Mortgage will pay off a portion of the First Mortgage; and

WHEREAS, the Owners have requested that the Township of West Orange subordinate the WOHRP Mortgage to the New Mortgage; and

WHEREAS, in connection with the New Mortgage, Investors has provided an appraisal indicating that the fair market value of the Property is approximately Three-Hundred and Twenty Thousand, Nine-Hundred and Eighty Dollars (\$320,980.00); and

WHEREAS, based on the amount of the New Mortgage and the appraisal Investors provided, the proposed subordination will not change the equity available to satisfy the WOHRP Mortgage;

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Mayor be and hereby is authorized to execute a

Subordination of Mortgage in favor of Investors with respect to the Property and the Owner; and
be it further

RESOLVED, that the Municipal Clerk be and is hereby authorized to attest to the Mayor's signature on the Subordination of Mortgage.

Karen J. Carnevale
Township Clerk

Honorable Susan McCartney
Council President

Adopted: March 25, 2014

RESOLUTION-APPROPRIATION TRANSFER
PURSUANT TO N.J.S.A 40A:4-58

WHEREAS , N.J.S. 40A:4-58 provides for transfers between budget appropriations during the last two months of the fiscal year;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange (not less than two thirds of the governing body affirmatively concurring) that transfers between 2013 Budget Appropriation be made as attached:

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: March 25, 2014

2013 Budget Transfers				
Account	DEPARTMENT	FROM	TO	Explanation
01-2030-00-7001-010	Engineering S&W	65,000.00	-	Excess transferred to another account
01-2030-00-5001-010	Police S&W	30,000.00	-	Excess transferred to another account
01-2030-00-6001-010	Fire S&W	30,000.00	-	Excess transferred to another account
01-2030-00-4002-800	Assessing OE	20,000.00	-	Excess transferred to another account
01-2030-00-5003-207	Police OE	16,286.90	-	Excess transferred to another account
01-2030-00-2802-112	Tax Collection OE	5,000.00	-	Excess transferred to another account
01-2030-00-8902-160	Garbage Collection	5,000.00	-	Excess transferred to another account
01-2030-00-9102-216	Park & Playground OE	10,000.00	-	Excess transferred to another account
01-2030-00-9402-200	Construction OE	25,000.00	-	Excess transferred to another account
01-2030-00-9903-200	FICA	35,473.02	-	Excess transferred to another account
01-2030-00-7902-151	Central Automotive OE	-	90,000.00	Additional required in 2013
01-2030-00-9101-025	Park & Playground S&W	-	10,178.77	2013 Hourly & Overtime S&W
01-2030-00-1402-070	Litigation	-	2,736.87	Additional required in 2013
01-2030-00-1501-800	Clerk's S&W	-	1,491.00	2013 Hourly & Overtime S&W
01-2030-00-1941-030	Court S&W	-	1,320.00	2013 Hourly & Overtime S&W
01-2030-00-2951-900	Comptroller S&W	-	1,035.41	2013 Hourly & Overtime S&W
01-2030-00-3001-900	Planning S&W	-	315.78	2013 Hourly & Overtime S&W
01-2030-00-8051-900	Health S&W	-	236.51	2013 Hourly & Overtime S&W
01-2030-00-8101-025	Sen Trans S&W	-	1,088.00	2013 Hourly & Overtime S&W
01-2030-00-8401-025	Animal Control S&W	-	364.94	2013 Hourly & Overtime S&W
01-2030-00-8601-800	Sen Health S&W	-	164.20	2013 Hourly & Overtime S&W
01-2030-00-9401-030	Construction S&W	-	1,092.00	2013 Hourly & Overtime S&W
01-2030-00-9613-090	Medical Transport Billing OE	-	16,352.19	Additional required in 2013
01-2030-00-7401-800	Public Works S&W	-	71,777.85	2013 Hourly & Overtime S&W
01-2030-00-2532-700	Health Care Ins. OE	-	5,483.40	Additional required in 2013
01-2030-00-2534-050	General Liability Ins OE	-	38,123.00	Additional required in 2013

TOWNSHIP OF WEST ORANGE
AMENDING RESOLUTION #18-14,
EMERGENCY TEMPORARY APPROPRIATION RESOLUTION
FOR THE PURPOSE OF FUNDING EMINENT TAX APPEALS
PRIOR TO ADOPTION OF 2014 BUDGET -N.J.S. 40A:4-20

WHEREAS, an emergent condition has arisen with respect to the continued operation of the Municipality, and more appropriations are needed to pay tax appeal claims, and no adequate provision has been made in the 2014 Temporary Budget for the aforesaid purpose, and N.J.S.40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, on January 14, 2014, the West Orange Township Council adopted Resolution #18-14, and

WHEREAS, tax appeal judgements have or will exceeded the amount previously authorized for 2014,

NOW, THEREFORE, BE IT RESOLVED, that THE West Orange Township Council amends such resolution in accordance with N.J.S. 40A:4-20, emergency temporary appropriations be and the same are hereby made for the purpose identified by the titles herein listed and the sums set opposite such titles:

2014 EMERGENCY TEMPORARY APPROPRIATIONS ARE HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION

Tax Appeals 1,500,000.00

Karen Carnevale
Municipal Clerk

Susan McCartney
Council President

RESOLUTION-APPROPRIATION TRANSFER
PURSUANT TO N.J.S.A 40A:4-58

WHEREAS , N.J.S. 40A:4-58 provides for transfers between budget appropriations during the last two months of the fiscal year;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange (not less than two thirds of the governing body affirmatively concurring) that transfers between 2013 Budget Appropriation be made as attached:

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: March 25, 2014

				50-14
2013 Budget Transfers				
Account	DEPARTMENT	FROM	TO	Explanation
01-2030-00-7001-010	Engineering S&W	65,000.00	-	Excess transferred to another account
01-2030-00-5001-010	Police S&W	30,000.00	-	Excess transferred to another account
01-2030-00-6001-010	Fire S&W	30,000.00	-	Excess transferred to another account
01-2030-00-4002-800	Assessing OE	20,000.00	-	Excess transferred to another account
01-2030-00-5003-207	Police OE	16,286.90	-	Excess transferred to another account
01-2030-00-2802-112	Tax Collection OE	5,000.00	-	Excess transferred to another account
01-2030-00-8902-160	Garbage Collection	5,000.00	-	Excess transferred to another account
01-2030-00-9102-216	Park & Playground OE	10,000.00	-	Excess transferred to another account
01-2030-00-9402-200	Construction OE	25,000.00	-	Excess transferred to another account
01-2030-00-9903-200	FICA	35,473.02	-	Excess transferred to another account
01-2030-00-7902-151	Central Automotive OE	-	90,000.00	Additional required in 2013
01-2030-00-9101-025	Park & Playground S&W	-	10,178.77	2013 Hourly & Overtime S&W
01-2030-00-1402-070	Litigation	-	2,736.87	Additional required in 2013
01-2030-00-1501-800	Clerk's S&W	-	1,491.00	2013 Hourly & Overtime S&W
01-2030-00-1941-030	Court S&W	-	1,320.00	2013 Hourly & Overtime S&W
01-2030-00-2951-900	Comptroller S&W	-	1,035.41	2013 Hourly & Overtime S&W
01-2030-00-3001-900	Planning S&W	-	315.78	2013 Hourly & Overtime S&W
01-2030-00-8051-900	Health S&W	-	236.51	2013 Hourly & Overtime S&W
01-2030-00-8101-025	Sen Trans S&W	-	1,088.00	2013 Hourly & Overtime S&W
01-2030-00-8401-025	Animal Control S&W	-	364.94	2013 Hourly & Overtime S&W
01-2030-00-8601-800	Sen Health S&W	-	164.20	2013 Hourly & Overtime S&W
01-2030-00-9401-030	Construction S&W	-	1,092.00	2013 Hourly & Overtime S&W
01-2030-00-9613-090	Medical Transport Billing OE	-	16,352.19	Additional required in 2013
01-2030-00-7401-800	Public Works S&W	-	71,777.85	2013 Hourly & Overtime S&W
01-2030-00-2532-700	Health Care Ins. OE	-	5,483.40	Additional required in 2013
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TOWNSHIP OF WEST ORANGE
AMENDING RESOLUTION #18-14,
EMERGENCY TEMPORARY APPROPRIATION RESOLUTION
FOR THE PURPOSE OF FUNDING EMINENT TAX APPEALS
PRIOR TO ADOPTION OF 2014 BUDGET -N.J.S. 40A:4-20

WHEREAS, an emergent condition has arisen with respect to the continued operation of the Municipality, and more appropriations are needed to pay tax appeal claims, and no adequate provision has been made in the 2014 Temporary Budget for the aforesaid purpose, and N.J.S.40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, on January 14, 2014, the West Orange Township Council adopted Resolution #18-14, and

WHEREAS, tax appeal judgements have or will exceeded the amount previously authorized for 2014,

NOW, THEREFORE, BE IT RESOLVED, that THE West Orange Township Council amends such resolution in accordance with N.J.S. 40A:4-20, emergency temporary appropriations be and the same are hereby made for the purpose identified by the titles herein listed and the sums set opposite such titles:

2014 EMERGENCY TEMPORARY APPROPRIATIONS ARE HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION

Tax Appeals 1,500,000.00

Karen Carnevale
Municipal Clerk

Susan McCartney
Council President

'RESOLUTION-APPROPRIATION TRANSFER
PURSUANT TO N.J.S.A 40A:4-58

WHEREAS , N.J.S. 40A:4-58 provides for transfers between budget appropriations during the last two months of the fiscal year;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange (not less than two thirds of the governing body affirmatively concurring) that transfers between 2013 Budget Appropriation be made as attached:

Susan McCartney
Council President

Karen Carnevale
Municipal Clerk

Adopted: March 24, 2014

2013 Budget Transfers				
Account	DEPARTMENT	FROM	TO	Explanation
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01-2030-00-3001-900	Planning S&W	-	315.78	2013 Hourly & Overtime S&W
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TOWNSHIP OF WEST ORANGE
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FOR THE PURPOSE OF FUNDING EMINENT TAX APPEALS
PRIOR TO ADOPTION OF 2014 BUDGET -N.J.S. 40A:4-20

WHEREAS, an emergent condition has arisen with respect to the continued operation of the Municipality, and more appropriations are needed to pay tax appeal claims, and no adequate provision has been made in the 2014 Temporary Budget for the aforesaid purpose, and N.J.S.40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, on January 14, 2014, the West Orange Township Council adopted Resolution #18-14, and

WHEREAS, tax appeal judgements have or will exceeded the amount previously authorized for 2014,

NOW, THEREFORE, BE IT RESOLVED, that THE West Orange Township Council amends such resolution in accordance with N.J.S. 40A:4-20, emergency temporary appropriations be and the same are hereby made for the purpose identified by the titles herein listed and the sums set opposite such titles:

2014 EMERGENCY TEMPORARY APPROPRIATIONS ARE HEREBY ATTACHED AND MADE PART OF THIS RESOLUTION

1,500,000.00
Tax Appeals

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Adopted: March 25, 2014

RESOLUTION

WHEREAS, the Township of West Orange has a need for the services of a firm or individual specializing in the investigation, research, planning, preparation and pursuit of grants and other aid submitted to various County, State and Federal authorities and private foundations for obtaining financial and other aid for municipal programs and/or services ("Grant Writing Services"); and

WHEREAS, Grant Writing Services require specialized knowledge and the provision of professional services such as knowledge of federal and state programs, and the rendering of financial advice with respect to available grants and aid; and

WHEREAS, the provision of Grant Writing Services requires professional and specialized knowledge of applicable County, State and Federal aid programs, corporate and private foundations, and the ability to prepare detailed applications and submissions and take action necessary to obtain and successfully pursue such aid; and

WHEREAS, Alicia Skinner, trading as Skinner Consulting Services, has served as the Township's Grant Writer since 2007 when the need for Grant Writing Services has arisen; and

WHEREAS, the Township seeks to appoint Ms. Skinner as the Township's Grant Writer for a ten (10)-month period at the rate of \$2,333.33 per month, commencing March 1, 2014 and ending December 31, 2014, pursuant to an Agreement with the Township in the form annexed hereto as **Attachment "A"**; and

WHEREAS, Ms. Skinner has responded to the Township's "Fair and Open" Request for Qualifications, wherein the Township requested qualifications from professionals to provide Grant Writing Services;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange, that Ms. Skinner shall serve as the Township's Grant Writer, in accordance with all applicable ordinances and statutes; and be it further

RESOLVED, that the Mayor shall be and hereby is authorized to execute all documents necessary to effectuate such agreement with Ms. Skinner, and the Municipal Clerk shall be and hereby is authorized to attest to the Mayor's signature; and be it further

RESOLVED that this award shall be published and available in the Clerk's Office for reasonable inspection in accordance with applicable law.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: March 25, 2014

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

JOHN O. GROSS, CFO

**LETTER AGREEMENT WITH ALICIA SKINNER
FOR GRANT WRITING SERVICES**

March __, 2014

Ms. Alicia Skinner
Skinner Consulting Services
29 Woods End Road
West Orange, New Jersey 07052

Dear Ms. Skinner:

This letter agreement shall constitute the agreement for you, Alicia Skinner (hereinafter "Ms. Skinner" or "Grant Writer"), to provide services to the Township of West Orange ("Township") as its Grant Writer for a period of one (1) year, commencing March 1, 2014 and lasting through December 31, 2014.

The amount to be paid Ms. Skinner for such services shall be \$2,333.33 per month, commencing as of March 1, 2014. This agreement is subject to cancellation on thirty (30) days' written notice by either the Township or Ms. Skinner.

This will confirm that the relationship of the parties shall be that of a part time, **INDEPENDENT CONTRACTOR** and not employer/employee or principal/agent. Ms. Skinner shall be solely responsible for her own work hours and daily responsibilities. As an independent contractor, Ms. Skinner shall be fully responsible for all obligations to any taxing authority or other governmental entity arising out of this Agreement. Ms. Skinner shall receive no monetary or other benefits not specifically enumerated in this agreement

The manner and means of performing all services shall be subject to Ms. Skinner's sole control unless otherwise specified in this Agreement. Ms. Skinner shall not have the legal authority to bind the Township in contract, debt or otherwise without the prior written consent of the Township.

Ms. Skinner's responsibilities shall include, but are not necessarily limited to:

- Providing professional consultations with respect to the study of County, State, Federal, corporate and private aid funds as they relate to the needs of the Township, or as requested by the Township.
- Researching, planning, preparing, submitting, proceeding with and following up on all applications and programs for such aid.

- Obtaining “New Grants” of at least the amount paid to the Ms. Skinner during the term of this Agreement. New Grants shall mean monies and/or aid not previously received by the Township from particular sources during the prior five (5) years. Ms. Skinner agrees that she will continue to provide services beyond the term of this Agreement at no cost until New Grants exceeding the amount received are awarded. This amount specifically excludes all currently existing grants.
- Submitting an annual written report at the conclusion of the term to the Mayor concerning all services rendered and new grants obtained.
- Attending any meetings requested by the Mayor and/or Business Administrator to discuss potential grants and report as to timeframes and deadlines for submission of grant applications, status of grant applications, and areas of available grant funding.

During the contract period, Ms. Skinner may be reimbursed for out-of-pocket expenses for supplies needed to perform the services described in this Agreement, including ink cartridges, postage and other such related items, but in no event shall such amount exceed the total of \$50 per month. Any such reimbursement is conditioned upon timely submission of receipts to the Township’s Chief Financial Officer, not to exceed thirty (30) days from the date of purchase of any such supplies.

All grant applications are subject to the approval of the Township in its sole discretion, and no grant application shall be submitted without the prior approval of the Township Council.

If the foregoing terms are acceptable, kindly affix your signature below.

WITNESS:

ALICIA SKINNER

By:_____

By:_____

ALICIA SKINNER

ATTEST:

TOWNSHIP OF WEST ORANGE

KAREN J. CARNEVALE,
MUNICIPAL CLERK

By:_____

ROBERT D. PARISI, MAYOR

RESOLUTION

WHEREAS, the Township of West Orange (“Township”) requires the ability to send emergency communications and important notifications to residents from time to time; and

WHEREAS, Emergency Communications Network, LLC (“ECN”) provides such communications transmission services; and

WHEREAS, ECN is a third-party service which facilitates and provides high-speed notifications to geographically selected calling areas via an Internet-hosted software application, also known as ECN’s “Coded Next” services; and

WHEREAS, pursuant to Resolution No. 217-13, the Township previously engaged ECN to provide emergency notification services only; and

WHEREAS, the Township seeks to retain and engage ECN to provide services in addition to emergency notifications, including but not limited to general informational communications and notifications to residents; and

WHEREAS, ECN proposes to provide such services pursuant to the contract, fees and terms set forth on Attachment “A” annexed hereto (the “Agreement”); and

WHEREAS, this Agreement is below the annual minimum bid threshold pursuant to the Local Public Contracts Law, and may be valid for up to five (5) years pursuant to N.J.S.A. 40A:11-15(8); and

WHEREAS, maintaining this agreement for the maximum term will ensure that the Township maintains the fixed cost of \$27,500.00 per annum;

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Township Council shall and hereby does authorize the Mayor to execute the Agreement in the form annexed hereto, and the Township Clerk shall be and hereby is authorized to attest to the Mayor’s signature; and be it further

RESOLVED that this Resolution shall be published and available in the Clerk's Office for reasonable inspection in accordance with applicable law.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: March 25, 2014

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

JOHN O. GROSS, CFO

RESOLUTION

WHEREAS, the Township of West Orange ("Township") and Colonial Woods, LLC ("Colonial Woods") previously entered into a Developer's Agreement (the "Agreement") dated February 10, 2009; and

WHEREAS, the Agreement provided for a 27-lot subdivision for construction and development work in and around Block 173, Lot 12 and Block 172.29, Lot 40.02 on the Tax Map of the Township, now known as Block 173, Lots 12.02-12.27 and Block 172.29, Lot 40.03, also known as the area located north of Warren Road, and the extension of Nance Road and Colonial Woods Drive, which project is known as Colonial Woods North (the "Project"); and

WHEREAS, Colonial Woods has notified the Township of its intent to assign its rights under the Agreement to RNC Developers, Inc. ("RNC"); and

WHEREAS, RNC has requested an extension of the time period for completion of the Project as set forth in the Agreement, to December 31, 2017, because construction has not yet started on the Project; and

WHEREAS, Colonial Woods, RNC, and the Township Engineer have agreed to an Amendment of the Agreement, the terms of which are set forth on Attachment "A" annexed hereto (the "Amendment"); and

WHEREAS, the Township Engineer recommends that the Amendment be executed;

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Township Council shall and hereby does authorize the Mayor to execute the Amendment in the form annexed hereto, and the Township Clerk shall be and hereby is authorized to attest to the Mayor's signatures; and be it further

RESOLVED that this Resolution shall be published and available in the Clerk's Office for reasonable inspection in accordance with applicable law.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: March 25, 2014

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>
Pleasantdale School PTA	3.29.14	104 Harrison Avenue	7063
Our Lady of Lourdes Tricky Tray	6.25.14	1 Eagle Rock Avenue	7064

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: March 25, 2014

RESOLUTION

BE IT RESOLVED by the Township Council of the Township of West Orange that the contract entitled "The Maintenance of Various Township Owned Parcels, Including Turf Maintenance, Litter and Debris Collection and Disposal, Weed Control and Fall Leaf Collection and Disposal" awarded to D'Onofrio and Son, Inc., Landscaping of 47 Van Ness Terrace, Maplewood, New Jersey 07040 by Resolution No. 38-13 dated March 5, 2013 in the amount of \$135,000.00 for the following services:

- | | | |
|----|---|-------------|
| 1. | Base Bid -1 Turf Maintenance,
Litter and Debris Collection, Weed
Control, Leaf Collection - All Parcels | \$89,900.00 |
| 2. | Alternate 1B-1 Maintenance of Shrubs
and Beds for Trees, Shrubs and Flowers-All
Parcels | \$ 8,750.00 |
| 3. | Alternate 1C-1 Chemical and
Fertilizer Application all Parcels | \$32,000.00 |
| 4. | Alternate 6-1 Mulch Maintenance (Allowance) | \$ 4,350.00 |

be extended for a second year for the period beginning April 1, 2014 and ending November 30, 2014 for the same services in the amount of \$135,000.00.

**KAREN J. CARNEVALE, MUNICIPAL CLERK
PRESIDENT**

SUSAN McCARTNEY , COUNCIL

Adopted: March 25, 2014

I hereby Certify funds are available from:

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

JOHN GROSS, CHIEF FINANCIAL OFFICER

RE: **MAINTENANCE OF VARIOUS TOWNSHIP OWNED**
EXTENSION OF CONTRACT
D'ONOFRIO & SON, INC. LANDSCAPING

Last year by Resolution No. 38-13 dated March 5, 2013 you awarded a contract to D'Onofrio & Son, Inc. Landscaping of 47 Van Ness Terrace, Maplewood, New Jersey 07040 for "The Maintenance of Various Township Owned Parcels, Including Turf Maintenance, Litter and Debris Collection, Weed Control and Fall Leaf Collection and Disposal". A copy of the Resolution is enclosed. The amount of the contract was \$135,000 for the period April 1, 2013 through November 30, 2013, and it was awarded as follows:

The contract also had the option for two one year extensions for the period April 1, 2014 through November 30, 2014 and April 1, 2015 through November 30, 2015. The bid amounts for each

successive year were the same as the base year of 2013, and the Resolution authorized the option to extend the contract for two additional one year periods.

I am now requesting formal authorization to extend the contract for the "Maintenance of Various Township Owned Parcels, Including Turf Maintenance, Litter and Debris Collection, Weed Control and Fall Leaf Collection and Disposal" for the period April 1, 2014 to November 30, 2014 to D'Onofrio and Son, Inc., Landscaping, 47 Van Ness Terrace, Maplewood, New Jersey 07040 in the amount of \$135,000.00 for the Base Bid -1, Alternate 1B-1, Alternate 1C-1 and Alternate 6-1. They have performed these services for the past two years, and their work is more than satisfactory.

A Resolution is enclosed authorizing this contract extension.

Very truly yours,

Leonard R. Lepore, Municipal Engineer
Director of Public Works

LRL/tp

enc.

Cc: John K. Sayers
John Gross
Kenneth Kayser
Joe Pelose
Nick Salese,
Diane D'Onofrio

file: award maintenance of various township owned parcels extension of contract

56-14
March 25, 2014

RESOLUTION

BE IT RESOLVED by the Township Council of the Township of West Orange that the contract entitled "The Maintenance of Various Township Owned Parcels, Including Turf Maintenance, Litter and Debris Collection and Disposal, Weed Control and Fall Leaf Collection and Disposal" awarded to D'Onofrio and Son, Inc., Landscaping of 47 Van Ness Terrace, Maplewood, New Jersey 07040 by Resolution No. 38-13 dated March 5, 2013 in the amount of \$135,000.00 for the following services:

- | | | |
|----|---|-------------|
| 1. | Base Bid -1 Turf Maintenance,
Litter and Debris Collection, Weed
Control, Leaf Collection - All Parcels | \$89,900.00 |
| 2. | Alternate 1B-1 Maintenance of Shrubs
and Beds for Trees, Shrubs and Flowers-All
Parcels | \$ 8,750.00 |
| 3. | Alternate 1C-1 Chemical and
Fertilizer Application all Parcels | \$32,000.00 |
| 4. | Alternate 6-1 Mulch Maintenance (Allowance) | \$ 4,350.00 |

be extended for a second year for the period beginning April 1, 2014 and ending November 30, 2014 for the same services in the amount of \$135,000.00.

**KAREN J. CARNEVALE, MUNICIPAL CLERK
PRESIDENT**

SUSAN McCARTNEY , COUNCIL

Adopted: March 25, 2014

I hereby Certify funds are available from:

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

JOHN GROSS, CHIEF FINANCIAL OFFICER

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
LOCAL AID PROJECTS**

**RECOMMENDATION OF AWARD
STATE AID PROJECT**

BE IT RESOLVED

that the **Township Council of the Township of West Orange** hereby recommends to the New Jersey Department of Transportation that the contract for **Yale Terrace and Harvard Terrace Roadway Improvements** (Name of Project)

in the Township of West Orange County of Essex be awarded to **A & J Contractors Group, Inc.**
105 Federal Road, Monroe Township, New Jersey 08831,

whose bid amount is **\$318,706.20** subject to the approval of the
Department.

That the Mayor of the Township of West Orange is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the Clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

Approved by the Township of West Orange
(Name of Local Government)

(Date of Award)

Susan McCartney, Council President

(Date)

Karen J. Carnevale, Township Clerk

(Date)

Adopted: March 25, 2014

(Affix Seal)

I hereby certify funds are available from:
\$200,715.00

2013 NJDOT Local Aid Grant -

\$117,991.20

03-2176-22-5010-010 _____ - _____

John Gross, Chief Financial Officer

RESOLUTION

WHEREAS, the Township of West Orange at the request of the Llewellyn Park Committee of Managers (LPCOM) is making infrastructure improvements in Llewellyn Park entitled “2012 Llewellyn Park Roadway and Sewer Improvements”, and

WHEREAS, the Township of West Orange by an Ordinance adopted by the Township Council will make these improvements as a Local Improvement with the costs of the improvements assessed against the benefitting property owners in Llewellyn Park; and

WHEREAS, the LPCOM previously obtained the services of Jenne Associates, LLC of 1362 Crim Road, Bridgewater, New Jersey 08807 to design the infrastructure improvements and to prepare specifications and bid documents; and

WHEREAS, the Township advertised and received bids for these improvements in accordance with the bid documents prepared by Jenne Associates, LLC dated March, 2012; and

WHEREAS, the Township awarded a contract to Sanitary Construction Company of Rockaway, New Jersey to construct improvements specified in the project 2012 Llewellyn Park Roadway and Sewer Improvements in the amount of \$3,483,873.00; and

WHEREAS, the services of a professional engineer are required during the construction phase to provide construction inspection and contract administration services; and

WHEREAS, Jenne Associates, LLC prepared a proposal dated May 3, 2012 to provide construction phase services for a fee not to exceed \$270,000.; and

WHEREAS, the proposal was acceptable to the Municipal Engineer; and

WHEREAS, LPCOM desired Jenne Associates due to their knowledge of the project be retained for the construction phase services; and

WHEREAS, the fee of Jenne Associates is considered a project cost that will be assessed against the benefitting property owners in Llewellyn Park; and

WHEREAS, the award made by Council Resolution No. 135-12 dated June 26, 2012 in the amount of \$270,000.00 was not the subject to the fair and open bidding pursuant to the Local Public Contracts Law; and

WHEREAS, the Council authorized by Resolution an additional appropriation of \$348,387.00 for the contract with Sanitary Construction Company to perform additional roadway and sewer improvements within Llewellyn Park; and

WHEREAS, this additional construction work requires additional services of Jenne Associates for construction inspection and contract management and administration; and

WHEREAS, Jenne Associates estimates the cost of these additional services at \$30,000.00; and

WHEREAS, this additional fee is acceptable for the LPCOM and the Municipal Engineer; and

WHEREAS, sufficient funds exist for this work as a result of the LPCOM depositing \$30,000.00 with the Township which is held in an escrow account for this work; and

WHEREAS, the Township Council concurs in the foregoing.

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the firm of Jenne Associates, 1362 Crim Road, Bridgewater, New Jersey 08807 is authorized to provide additional construction phase services for the project 2012 Llewellyn Park Roadway and Sewer Improvements for an additional fee not to exceed \$30,000.

BE IT FURTHER RESOLVED that a copy of this Resolution and notice of this award shall be published in the West Orange Chronicle and available in the Clerk's office as required by law.

**KAREN J. CARNEVALE, MUNICIPAL CLERK
PRESIDENT**

SUSAN McCARTNEY , COUNCIL

Adopted: March 25, 2014

I hereby certify funds are available from: \$30,000.00 ESCROW ACCOUNT

JOHN GROSS, CHIEF FINANCIAL OFFICER

59-14
March 25, 2014

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 (6) 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 Wednesday April 9, 2014 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 Wednesday April 9, 2014 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: March 25, 2014

ABADONED 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 Wednesday April 9, 2014 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>
1997	HON	1HGCD5605VA226656
1997	SAT	1G8ZH1273VZ303481
2003	FOR	3FAFP31373R171113
1999	DOD	2B7HB11Y0XK509800
1995	BMW	WBABK532XSEC83686
1995	FOR	1FALP6536SK239936

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 Wednesday April 9, 2014 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>
1998	CHE	1GNDX06E3WD271496
2002	MER	4M2DU86W92UJ25455

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.

Anne DeSantis
Purchasing Agent

To be published in WO Chronicle 03/27/2014

RESOLUTION

WHEREAS, the Township of West Orange is in need of a company to staff the security post outside the Municipal Courtroom when court is in session; and

WHEREAS, the Township is familiar with and has used the services of Abbry Security LLC since the year 2007 for unarmed security services and has been satisfied with the services they provide the Township's Municipal Court; and

WHEREAS, Abbry Security LLC is a division of First Community Development Corp of NJ who is an authorized Shelter Workshop pursuant to N.J.S.A., Chapter 113; and

WHEREAS, the Township can secure a contract with Abbry Security LLC without the public advertisement of bids pursuant to N.J.S.A. 40A:11-5(n); and

WHEREAS, Abbry Security LLC has proposed to maintain the existing hourly rate of \$13.35 and the duration of this contract will be for 24 months.

NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the Township be and is hereby authorized to exercise a service contract with Abbry Security LLC, 31 Styertowne Road, Bldg D, Clifton, NJ 07012-1713 for the above mentioned rate and term.

BE IT FURTHER RESOLVED that a copy of this resolution be published and maintained as required by law.

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Adopted: March 25, 2014

I hereby certify funds are available from: 01-2010-00-5003-095 \$34,000.00
Account No. Subject to approval-2014 Budget

John O. Gross, Chief Financial Officer

Abbry Security Company, LLC a subsidiary of First Community Development Corporation of New Jersey Inc.

MUNICIPAL COURT SECURITY CONTRACT

A contract by and between Abbry Security Company, LLC a subsidiary of First Community Development Corporation of New Jersey having its principal place of business located at 31 Styertowne Road, Building "D" Clifton, New Jersey 07012, hereinafter referred to as the contractor,

AND

The Township of West Orange, a Municipal Corporation of the State of New Jersey, having its principal place of business located at 66 Main Street, West Orange, New Jersey 07052, hereinafter referred to as the township,

Section 1

It is the intention of Abbry Security to help create jobs and aid in the support of individuals that are disabled & disadvantaged.

The Township of West Orange has developed Courtroom Security Procedures that are in place to protect the Municipal Courthouse, employees of the court as well as citizens involved with various courtroom proceedings.

Section 2 - Work to Be Performed

Abbry Security Company LLC, will provide municipal court security in accordance with the original specifications that are on file which shall include but not be limited to, security screening of all visitors, use of magnetometer and procedures and hand held metal detection processes, monitoring of the courthouse and courtroom, as well as other measures to keep the courtroom and visitors safe.

Section 3 –Security Guards

Abbry Security Company LLC, will provide an appropriate number of unarmed security guards to provide said security services in accordance with and under the direction of the Court Administrator.

Section 4 - Scope of Services:

Abbry Security LLC will provide said services in line with the West Orange Police Department "Security Screening Procedures" dated October 23, 2007. Any deviation from the aforementioned procedures must be requested in writing and approved by the West Orange Police Department prior to deviation. Abbry shall follow all procedures established for Court Security by the West Orange Police Department as currently in

existence and as may be amended.

Section 5 – Ability to Perform:

Abbry will consider the Township's best interests as its own. If, at any time, Abbry considers its ability to render the best service compromised in any way, it will promptly bring such concerns to the Township's attention so that the parties' relationship will be maintained.

Section 6 – Quality Control:

Abbry represents and warrants that it has established policies for quality control which involved the highest levels of its management. Visits and inspections by supervisors and or managers are routine, and follow up, where necessary, is immediate.

Section 7 – Payment for Services:

Payment of services will be in accordance with the proposal dated July 23, 2013 at an hourly rate of \$13.35 per hour per guard. Payment will be due upon Abbry's submission of duly authenticated payment vouchers, as approved by the Township of West Orange. Any failure by Abbry to remit a voucher or invoice within thirty (30) days of the services rendered will render void the request for payment.

.

Section 8 – Contract:

This proposal constitutes the complete Contract between the parties. The Contract will remain in full force and effect for two (2) years upon mutual agreement between Abbry and the Township of West Orange. All renewals, extensions, and modifications must be in writing and signed by both parties, and shall be annexed to this agreement.

Section 9 – Insurance:

Abbry shall provide and keep in force General Public Liability Insurance with the Municipality named as an additional insured, and Workers Compensation Insurance coverage - both in amounts satisfactory to the Township, but in no event shall the coverage be for less than \$1,000,000 per claim or occurrence. All insurance shall cover all services to be provided hereunder for the term of this Contract and any extensions, renewals or modifications.

The Township of West Orange agrees to enter into this contract for services with Abbry Security. The foregoing terms constitute the complete Contract between the parties, together with any subsequently mutually agreed upon modifications which shall be in writing. This document defines the responsibilities of both parties.

The Municipality agrees that service commenced or shall commence on _____ and will continue for the term specified herein.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of
March _____, 2014.

IN WITNESS WHEREOF, they have executed this Agreement.

TOWNSHIP OF WEST ORANGE

Robert D. Parisi, Mayor

Date

Attest: _____
Karen J. Carnevale, R.M.C.

Date

Date

CONTRACTOR

Contractor Signature

Contractor Printed Name

Attest

Date

RESOLUTION

WHEREAS, the Township of West Orange requested proposals from four (4) Land Surveying firms to provide Land Surveying Services in regard to Luddington Road Sanitary Sewers; and

WHEREAS, three (3) firms responded to the Request for Proposal; and

WHEREAS, the services of a professional land surveyor are required to provide the planimetric and topographic information for these sewers; and

WHEREAS, Suburban Consulting Engineers, Inc. 100 Valley Road, Suite 202, Mount Arlington, New Jersey submitted a proposal dated February 3, 2014 to provide Land Surveying Services for a fee not to exceed \$8,110.00; and

WHEREAS, the proposal is acceptable to the Municipal Engineer; and

WHEREAS, there are funds available for this project; 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 the Township be and hereby authorized to enter into a Professional Services contract with Suburban Consulting Engineers, Inc., 100 Valley Road, Suite 202, Mount Arlington, New Jersey 07856 to provide Engineering and Land Surveying services for the project the Survey and Mapping of the Existing Sanitary Sewer systems along Luddington Road and South Valley Road for a fee not to exceed \$8,110.00 in accordance with their proposal dated February 3, 2014.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the West Orange Chronicle within 10 days of approval in accordance with N.J.S.A. 40A:11-5(1)(a)(i).

**KAREN J. CARNEVALE, MUNICIPAL CLERK
PRESIDENT**

SUSAN McCARTNEY, COUNCIL

I hereby certify funds are available from: **ACCOUNT NO. 03-2213-22-3075-003**
GIS Mapping

**SUMMARY OF BIDS
LUDDINGTON ROAD SANITARY SEWERS
PROPOSALS**

- | | | |
|----|---|-------------|
| 1. | Suburban Consulting Engineer, Inc.
100 Valley Road, Suite 202
Mt. Arlington, New Jersey 07856 | \$8,110.00 |
| 2. | Sun Land Survey Inc., Inc.
9 Garnet Terrace
Livingston, New Jersey 07039 | \$10,495.00 |
| 3. | Petry Engineering, LLC
155 Passaic Avenue
Suite 104
Fairfield, New Jersey 07004 | \$13,570.00 |

March 19, 2014

Mayor and Township Council
Municipal Building
66 Main Street
West Orange, New Jersey 07052

RE: **LUDDINGTON ROAD SANITARY SEWERS**

Mayor Parisi, Council President McCarthy, Councilwoman Spango and Gentlemen:

The Department of Public Works has requested proposals from firms providing Land Surveying Services to prepare plans, profiles and topographic maps and provide information for the sanitary sewer systems along Luddington Road and South Valley Road in West Orange where some residents have complained of odors from their sanitary sewer service connections.

This will include the section of Luddington Road from South Valley Road to house number twenty three (23), a distance of approximately 550' and South Valley Road from Luddington Road northerly to the next manhole, a distance of approximately 260'.

Planimetric and topographic information will be needed for both sections of these roads. Inverts of these manholes and elevations of the manholes will be needed as well as the topography of these areas including first floor and basement elevations of the homes located on the northerly side of Luddington Road the westerly side of south Valley Road within the project area. Where possible the elevations of the house service laterals shall be obtained near the exit from the homes.

On Luddington Road there are two lines that run along the street, one approximately in the center of the road and the other just off the northerly curb. All information about both of these lines will be provided. The purpose of this survey is to determine the feasibility of connecting homes on the northerly side of Luddington Road into the sewer main located near the middle of the street and not the trunk line behind the curb. The trunk sewer is a source of the odor cited above.

Enclosed is a summary of the proposals of three (3) firms that provide these services. The lowest proposal was submitted by Suburban Consulting Engineer, Inc. for a total lump sum fee of \$8,110.00.

Based on these proposals, I recommend the services of the firm of Suburban Consulting Engineers, Inc., 100 Valley Road, Suite 202, Mt. Arlington, New Jersey 07856 be obtained for this project. A copy of their proposal is enclosed. Suburban Consulting Engineers Inc. responded to the Township's request for Land Surveying Services on January 14, 2014. A Resolution of Award is attached subject to the approval of the Township Attorney.

Very truly yours,

Leonard R. Lepore, Municipal Engineer
Director of Public Works

LRL/tp

enc.

cc: John K. Sayers
Richard D. Trenk
John Gross
Kenneth Kayser
John Miller

RESOLUTION

61-14
March 25, 2014

WHEREAS, the Township of West Orange requested proposals from four (4) Land Surveying firms to provide Land Surveying Services in regard to Luddington Road Sanitary Sewers; and

WHEREAS, three (3) firms responded to the Request for Proposal; and

WHEREAS, the services of a professional land surveyor are required to provide the planimetric and topographic information for these sewers; and

WHEREAS, Suburban Consulting Engineers, Inc. 100 Valley Road, Suite 202, Mount Arlington, New Jersey submitted a proposal dated February 3, 2014 to provide Land Surveying Services for a fee not to exceed \$8,110.00; and

WHEREAS, the proposal is acceptable to the Municipal Engineer; and

WHEREAS, there are funds available for this project; 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 the Township be and hereby authorized to enter into a Professional Services contract with Suburban Consulting Engineers, Inc., 100 Valley Road, Suite 202, Mount Arlington, New Jersey 07856 to provide Engineering and Land Surveying services for the project the Survey and Mapping of the Existing Sanitary Sewer systems along Luddington Road and South Valley Road for a fee not to exceed \$8,110.00 in accordance with their proposal dated February 3, 2014.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the West Orange

Chronicle within 10 days of approval in accordance with N.J.S.A. 40A:11-5(1)(a)(i).

**KAREN J. CARNEVALE, MUNICIPAL CLERK
PRESIDENT**

SUSAN McCARTNEY, COUNCIL

I hereby certify funds are available from: ACCOUNT NO. 03-2213-22-3075-003
GIS Mapping

JOHN GROSS, CHIEF FINANCIAL OFFICER

**SUMMARY OF BIDS
LUDDINGTON ROAD SANITARY SEWERS
PROPOSALS**

- | | | |
|----|---|-------------|
| 1. | Suburban Consulting Engineer, Inc.
100 Valley Road, Suite 202
Mt. Arlington, New Jersey 07856 | \$8,110.00 |
| 2. | Sun Land Survey Inc., Inc.
9 Garnet Terrace
Livingston, New Jersey 07039 | \$10,495.00 |
| 3. | Petry Engineering, LLC
155 Passaic Avenue
Suite 104
Fairfield, New Jersey 07004 | \$13,570.00 |

RESOLUTION

WHEREAS, the Township Insurance Commission has recommended the continued retention of Peter Soriero, d/b/a Allied Risk Management Services (“Allied”) as a consultant to the Insurance Commission regarding risk management, insurance policies and related issues; and

WHEREAS, the Insurance Commission has previously engaged the services of Allied and has been satisfied with its services; and

WHEREAS, Allied proposes to perform the consulting services under the terms of the proposed contract annexed hereto as Attachment “A,” which shall not exceed the amount of \$20,000, payable \$5,000 per quarter; and

WHEREAS, Allied responded to the Township’s “Fair and Open” Request for Qualifications for 2014, wherein the Township requested qualifications from licensed professionals to provide insurance consulting services and risk management; and

WHEREAS, Mr. Soriero and Allied possess the requisite insurance producer licenses from the State of New Jersey, Department of Banking and Insurance;

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor shall be and hereby is authorized to enter into the attached agreement for professional services with Allied Risk Management Services in an amount not to exceed \$20,000 annually; and be it further

RESOLVED that the Municipal Clerk shall cause notice of the within award to be published in accordance with applicable law.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: March 25, 2014

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

JOHN O. GROSS, CFO

**SERVICES AGREEMENT BETWEEN ALLIED RISK MANAGEMENT SERVICES
AND THE TOWNSHIP OF WEST ORANGE INSURANCE FUND COMMISSION**

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

SECTION ONE: SCOPE OF SERVICES

For the period March 1, 2014 to February 28, 2015, ARMS hereby agrees to serve as a consultant to the WOIFC. The scope of services provided by ARMS is as follows:

- Assist the Township of West Orange in identifying its insurable Property & Casualty exposures and to recommend professional methods to reduce, assume or transfer the risk or loss.
- Assist Township of West Orange in understanding the various insurance policies and coverage currently in place.
- Determine if current coverage is adequate or excessive.
- Create a spreadsheet of all current policies with limits, premiums, renewal dates and other pertinent information, the purpose of which is to keep the Township informed of coverage and renewal dates.
- Advise the Township's insurance brokers of expected dates of renewal proposals. This will improve the Township's ability to analyze proposals with ample time prior to renewal.
- Review Certificates of Insurance from contractors, vendors and professionals when requested by the Township.
- Assist the Township in the preparation of its annual insurance budget.
- Review in-house procedures for claims reporting and review claims on a quarterly basis to determine trends and problem areas.
- At the request of the Township, attend any Insurance Fund meetings.

SECTION: TWO COMPENSATION

The WOIFC agrees to pay the ARMS the sum of \$20,000 per year for the services listed in Section 1. Payments will be made in equal quarterly installments in the amount of \$5,000 on or about June 1, 2014, September 1, 2014, December 1, 2014 and March 1, 2015. Payment is based on the availability of funds for the covered period.

SECTION THREE: BILLING PROCEDURES

ARMS shall submit the proper vouchers or invoices to the WOIFC 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 ARMS for that quarter.

SECTION FOUR: STATUS OF CONSULTANT

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

SECTION FIVE: NON ASSIGNMENT

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

SECTION SIX: TERM, TERMINATION and JURISTITION

The term of this agreement is for one year commencing on March 1, 2014 and ending on February 28, 2015. It is understood that the continuation of this contract is pending the availability of funds in subsequent fiscal years and if the funds are not available in subsequent fiscal years than this agreement shall be canceled. The terms of this agreement are subject to the laws of the State of New Jersey and any disputes between the parties shall be heard in the applicable court of law. This agreement may be cancelled with thirty (30) days' written notice by either party.

In witness whereof, the signatures below verify the acceptance of the terms of this agreement by the parties involved. Signed on this _____ day in the month of _____ in the year 2014

PETER SORIERO

WITNESS

ROBERT D. PARISI, MAYOR

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

March 21, 2014

Mayor and Township Council
Municipal Building
66 Main Street
West Orange, New Jersey 07052

RE: **RECONSTRUCITON OF THE OUTDOOR
WADING POOL AT THE GINNY DUENKEL MUNICIPAL POOL
AWARD OF BID**

Mayor Parisi, Council President McCartney, Councilwoman Spango and Gentlemen:

On February 19, 2014 the Township of West Orange received four bids for the project "Reconstruction of the Outdoor Wading Pool at the Ginny Duenkel Municipal Pool, William Street and Cherry Street". This project consists of reconstructing a portion of the existing wading pool and adding a contiguous spray pad with five water toys. A sixth toy will be placed in the wading pool area. The project was bid with a Base Bid and two Alternates. The Base Bid was to construct the spray pad and wading pool as per the plans and specifications. The plans and technical specifications were prepared by Integrated Aquatics Engineering, Inc. of Doylestown, PA. The Base Bid specified mosaic tile at the entry to the spray pad. Alternate No. 1 deletes the tile and substitutes plaster similar to the rest of the spray pad and wading pool. The Base bid also maintained a portion of the existing wading pool structure. Alternate No. 2 provided for the demolition of the entire wading pool and reconstructing an entire new facility. The project was advertised on January 30, 2014, and a total of eight bid packages were purchased.

A summary of the four bids is as follows:

1.	Cypreco Industries, Inc. 1420 9 th Avenue Neptune, N.J. 07754	Base Bid	\$227,723
		Alt. No. 1	0
		Alt. No. 2	39,723
2.	All State Technology, Inc. 120 Lark Lane Oak Ridge, N.J. 07438	Base Bid	\$253,500
		Alt. No. 1	- 4,000
		Alt No. 2	0
3.	R J R Engineering Co., Inc. 105 Guinea Hollow Road Califon, N.J. 07830	Base Bid	\$282,000
		Alt. No. 1	1,500
		Alt. No. 2	18,000
4.	Zenith Construction Services, Inc. 365 Thomas Blvd Orange, N.J. 07050	Base Bid	\$346,000
		Alt. No. 1	-7,000
		Alt. No. 2	50,000

Please note that the bid of All State Technology, Inc. was determined to be non responsive as they listed only an electrical subcontractor, but no plumbing subcontractor. The other three bidders listed both. Cypreco Industries protested the bid of All State Technologies as non responsive.

After reviewing the bids I recommend a contract be awarded to Cypreco Industries, Inc., 1420 9th Avenue, Neptune, New Jersey 07754 for the Base Bid and Alternate No. 1. The contract amount will be \$227,723.00. The Base Bid will preserve a portion of the existing wading pool as per the design plans and technical specifications. I added Alternate No. 2 to the documents as I believed reconstructing the entire wading pool may be more cost effective for the contractor and the Township. But at an additional cost of nearly \$40,000 the benefits are diminished and this higher total cost approaches the available funding. The funding will consist of \$150,000 from a grant from the Essex County Open Space Trust Fund Local Aid Program with the remainder from the Township's Capital Budget. The water toys will be purchased by the Township directly from a State Contract vendor at a cost of \$19,352.00

Attached is a Resolution awarding a contract to Cypreco Industries, Inc.

Very truly yours,

Leonard R. Lepore, Municipal Engineer
Director of Public Works

LRL/tp

enc.

cc: John K. Sayers
John Gross
Kenneth Keyser
Bill Kehoe

file:award reconstruction of the outdoor wading pool

63-14
March 25, 2014

RESOLUTION

1.	Base Bid	\$227,723.00
2.	Alternate No. 1, Substitute Plaster for Mosaic Tile	\$ 0.00
	TOTAL	\$227,723.00

**KAREN J. CARNEVALE, MUNICIPAL CLERK
PRESIDENT**

I hereby certify funds are available from: Essex County Open Space Trust Fund Local
Aid Grant
\$150,000.00
Account No. 03-2137-22-5030-010
\$77,723.00

JOHN GROSS, CHIEF FINANCIAL OFFICER

AN ORDINANCE CREATING NEW TOWNSHIP CODE SECTION CHAPTER 2, SECTION 5.3, IN ORDER TO CREATE NEW POSITION OF “DIRECTOR OF STAFF OPERATIONS”

I. PURPOSE

WHEREAS, the Township of West Orange (“Township”) intends to increase the efficiency of departmental operations on a day-to-day basis; and

WHEREAS, there exists a need for additional oversight of personnel, operations and departments;

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, that there shall be created Chapter 2, Section 5.3 of the Township Code which shall provide as follows:

II. AMENDMENT

BE IT ORDAINED, by the Township Council of the Township of West Orange (“ in the County of Essex and State of New Jersey, that there should be created a Chapter 2, Section 5.3 of the Revised General Ordinances of the Township, which shall provide as follows:

2-5.3 Director of Staff Operations

The Mayor may appoint, with the advice and consent of the Township Council, a Director of Staff Operations. The Director of Staff Operations may hold another office or position with the Township, and shall work under the direction and supervision of the Mayor and Business Administrator. The Director’s duties shall include, but will not necessarily be limited to:

- a. Supervising Department Heads on how to improve efficiency and uniformity in day-to-day staff operations
- b. Supervising departmental operating procedures to improve communication with and services to residents
- c. Recommending revisions to departmental operating procedures, as appropriate
- d. Streamlining administration by dealing with day-to-day operational issues as they arise in each department

- e. Suggesting re-organization or re-assignment of personnel between departments, as appropriate, in order to improve efficiency
- f. Planning, organizing, and coordinating administrative activities in such areas as accountability, information services, uniformity, and conformity with applicable regulatory requirements
- g. Planning, organizing, directing and coordinating department heads to improve and streamline services

BE IT FURTHER ORDAINED, that the remainder of Chapter 2, Section 5, shall remain unchanged.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with law.

Karen J. Carnevale,
Municipal Clerk

Susan McCartney,
Council President

Honorable Robert D. Parisi
Mayor

Introduction: March 11, 2014

Adoption: March 25, 2014

LEGISLATIVE HISTORY

Chapter 2 of the Township Code is the Administrative Code for the Township and governs administrative functions and general operations. This legislation would authorize the creation of a Director of Staff Operations position, which would fall under the direction of the Mayor and Business Administrator.

Authority for this proposed Ordinance is explicit, derived from several sources. First, pursuant to N.J.S.A. 40:48-1, the governing body of every municipality in the State of New may “make, amend, repeal and enforce ordinances to . . . [p]rescribe and define . . . the duties . . . of all officers and employees.” Furthermore, N.J.S.A. 40:69A-40 allows the Mayor to “direct and control all departments of the municipal government” and “[s]upervise the development, installation and maintenance of centralized . . . personnel . . . procedures as may be authorized by ordinance.” See N.J.S.A. 40:69A-40c and 40i.

AN ORDINANCE AMENDING CHAPTER 2, SECTION 14.2 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED “DEPARTMENT GENERALLY; TABLE OF ORGANIZATION”

I. PURPOSE

WHEREAS, the Township of West Orange (“Township”) intends to foster and further promote the organizational and operational flexibility of the Township’s Police Department (the “Police Department”), and to provide for increased oversight regarding the Police Department’s day-to-day operations;

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, that Chapter 2, Section 14.2 of the Revised General Ordinances of the Township of West Orange shall be amended as follows:

II. CHAPTER 2, SECTION 14.2 SHALL BE AND HEREBY IS AMENDED AND SUPERSEDED TO READ AS FOLLOWS:

There is hereby created in and for the Township of West Orange a Police Department which shall consist of a Chief of Police and such members and officers as shall be deemed necessary by the Mayor or his designee (“Mayor”) who shall, from time to time, determine the number of persons, including patrolmen, superior officers, temporary officers and members in an emergency, to be appointed to those positions. (Ord. No. 1592-99 § II). The Table of Organization for the Police Department shall not exceed a total force of 120, including the following maximums by rank:

Police Chief – 1
Deputy Police Chief – 2
Captain – 4
Lieutenant – 11
Sergeant – 21
Patrolman – 81

BE IT FURTHER ORDAINED, that the remainder of Chapter 2 shall remain unchanged.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall

apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with law.

Karen J. Carnevale,
Municipal Clerk

Susan McCartney,
Council President

Honorable Robert D. Parisi
Mayor

Introduction: March 11, 2014
Adoption: March 25, 2014

LEGISLATIVE HISTORY

This legislation is intended to foster and further promote the organizational and operational flexibility of the Township's Police Department, and to provide for increased oversight regarding the Police Department's day-to-day operations. To accomplish this purpose, this legislation provides for two (2) Deputy Police Chiefs, as opposed to the one (1) that is permitted under the current version of the Revised General Ordinances.

This organizational change is effectuated by ordinance in accordance with N.J.S.A. 40A:14-118, which permits municipal governing bodies to provide for the maintenance, regulation and control of its police force by ordinance. See, generally, Reuter v. Borough Council of Borough of Fort Lee, 167 N.J. 38, 41 (2001) ("That the Legislature would have insisted that police positions be established by ordinance is consistent with the significance of these positions and their importance to the public"); Loigman v. Twp. Committee of Middletown, 409 N.J. Super. 13, 16 (App. Div. 2009) (reaffirming the Reuter Court's holding that "the type and number of police positions [must be] created by ordinance").

**AN ORDINANCE CREATING CHAPTER 25, SECTION 15A OF THE REVISED
GENERAL ORDINANCES OF WEST ORANGE, ENTITLED
“PROHIBITION OF CERTAIN ADVERTISING ON REAL PROPERTY
WITHOUT OWNER’S PERMISSION”**

BE IT ORDAINED, by the Township Council of the Township of West Orange (“Township”), in the County of Essex and the State of New Jersey, that there should be created a Chapter 25, Section 15A of the Revised General Ordinances of the Township, which shall provide as follows:

**25-15A PROHIBITION OF CERTAIN ADVERTISING ON REAL PROPERTY
WITHOUT OWNER’S PERMISSION**

25-15A.1 Prohibited Advertisements

- a. A person shall not post or otherwise display any temporary commercial or business advertisement, to induce directly or indirectly any person to enter into any obligation or acquire title or interest in any property, object, ware, good, commodity, or service, on any real property located within the Township, or any building, pole, post or other structure on the property, without the prior written permission of the owner of record for the property, or the building or other structure thereon. This subsection shall apply to all properties, including those appearing to be abandoned or vacant. This subsection shall not apply to a person posting or otherwise displaying a temporary advertisement containing information and directional indicators inviting the public to purchase or lease real property at a real estate open house or similar event for that property.
- b. Upon discovery by an owner of real property of a violation of subsection (a) of this section, the owner may report the same to the Township Zoning Official.
- c. Violation. Any person, firm, partnership, association, corporation or other entity convicted of violating these regulations shall be liable to a fine of up to one thousand two hundred fifty (\$1,250.00) dollars for each such violation and each day in which such violation continues. Each posting or display of an advertisement in violation of this section, and each day in which a posting or display continues, shall constitute a separate violation or offense. In addition to the foregoing remedies, the Township Attorney may maintain an action in any court of competent jurisdiction to enjoin, restrain, abate, correct or remove any violation of these regulations.

25-15A.2 Removal of Prohibited Advertisements

- a. The Township may remove or cause to be removed any advertisement posted or displayed in violation of Section 25-15A.1.
- b. Whenever the Township removes, or causes to be removed, an advertisement, the Township may present the person who posted or otherwise displayed the removed advertisement, or the business advertised in the removed advertisement, by certified and regular mail, a detailed itemization of the costs of removal incurred by the

Township, requiring reimbursement by that person or business of the removal costs.

- c. If the person or business does not provide reimbursement within 30 days of receipt of the Township's itemization, the Township may enforce the payment of these costs, together with interest and reasonable collection costs, by instituting an action at law for the collection thereof. The Superior Court or the Municipal Court shall have jurisdiction of any collection action.

25-15A.3 Advertisement Removal Fund

- a. The Township hereby establishes the Advertisement Removal Fund, pursuant to P.L. 2013, c. 192. The Advertisement Removal Fund shall be administered by the Township Zoning Official.
- b. The money collected by the Township for advertisement removal shall be credited, along with any other funds made available, to the Advertisement Removal Fund.
- c. Expenditures from the Advertisement Removal Fund shall be used exclusively to remove advertisements and to otherwise enforce the provisions of this section, and to administer the fund.
- d. The Township may report to the Division of Consumer Affairs, in the Department of Law and Public Safety, for further investigation by the division, any pattern or practice of advertisements posted or otherwise displayed in violation of section 25-15A.1, which reasonably appears to violate the provisions of P.L.1960, c.39 (C.56:8-1 et seq.). Any report by the Township to the division under this subsection shall be investigated by the division as may be warranted.

Karen J. Carnevale, Municipal Clerk

**Honorable Susan McCartney
Council President**

**Honorable Robert D. Parisi
Mayor**

Introduced: March 25, 2014

Adopted: April 11, 2014

LEGISLATIVE HISTORY

Authority for this proposed legislation is derived from P.L. 2013, c. 192 (the “Authorizing Statute”), which was enacted on January 17, 2014, and will become effective on March 18, 2014.

In recent years there has been a growing proliferation of advertising on properties, which often appear to be abandoned or vacant. In connection with the housing crisis, foreclosed upon or abandoned properties exist in the Township due to the inability of property owners to make their mortgage payments. This legislation is modeled closely upon the Authorizing Statute. It intends to prevent advertisers from taking advantage of these properties, by requiring prior written permission of the owner to place any advertisements.

The legislation is further intended to reduce the existence and visibility of unwanted and unsightly signage, which has increasingly become a visual blight in the Township’s neighborhoods, and which may negatively affect property values in those neighborhoods.