

1. Conference Meeting Agenda

Documents: [CA4.8.14.PDF](#)

2. Public Meeting Agenda

Documents: [PM4.8.14.PDF](#)

3. Resolution(S)

3.I. 64-14

Documents: [64-14-14 RAFFLE LICENSES-4.8.14.PDF](#)

3.II. 65-14

Documents: [65-14 REIMBURSEMENT - PRIVATE COMMUNITIES - LIGHTING.PDF](#)

3.III. 66-14

Documents: [66-14 RESOLUTION AUTHORIZING MONTCLAIR Y USE OF DUENKEL POOL \(2014\).PDF](#), [66-14 AGREEMENT BETWEEN TOWNSHIP AND MONTCLAIR YMCA FOR USE OF DUENKEL POOL \(2014\).PDF](#)

3.IV. 67-14

Documents: [67-14 INTRODUCTION OF 2014 MUNICIPAL BUDGET \(3\).PDF](#)

3.V. 68-14

Documents: [68-14 TEMPORARY BUDGET APPROPRIATION.PDF](#)

3.VI. 69-14

Documents: [69-14 RESOLUTION TO APPROVE TAX APPEAL DEDUCTION FROM CALCULATION OF TAX COLLECTION RATE\[1\].PDF](#)

3.VII. 70-14

Documents: [70-14 CHANGE ORD. 1-SPRAY PAD-GINNY DUENKEL POOL-CYPRECO IND..PDF](#)

3.VIII. 71-14

Documents: [71-14.PDF](#)

3.IX. 72-14

Documents: [72-14 PROF. ENVIRONMENTAL ENG. FIRM-ASBESTOS MGMT. AND HVAC PREV. MAINT. PLAN.PDF](#)

3.X. 73-14

Documents: [73-14 PROF. ENGINEERING AND LAND SURVEYING-MT VERNON AVE..PDF](#)

4. Ordinance(S) On First Reading

4.I. 2405-14

Documents: [2405-14 SALARYORDINANCEPOLICE.PDF](#)

4.I.i. 2406-14

Documents: [2406-14 BUDGET CAP ORDINANCE 2014.PDF](#)

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

April 8, 2014

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)**

=====

6:30 P.M.

a. **Update**-Public Information Officer-Jessica Glicker

b. **Understanding Your Taxes in West Orange Presented by Mayor Parisi**

c. **Council Liaison Announcements**

7:00 P.M.

- Public Meeting

AGENDA
April 8, 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 - Revised**
- 6. *Report of Township Officers-None**
- 7. *Reading of Petitions and Communications and Bids-None**
- 8. *Bills**
- 9. *Resolutions**
 - a. 64-14 Resolution Authorizing Raffle Licenses
 - b. 65-14 Resolution Authorizing the 2013 Reimbursement for Services to Private Communities for the Cost of Street Lighting
 - c. 66-14 Resolution Authorizing License Agreement Between Township and Montclair YMCA for Use of Duenkel Pool for 2014 Season
 - d. 67-14 Resolution to Introduce the 2014 Local Municipal Budget
 - e. 68-14 Resolution Authorizing Temporary Budget Appropriation Pursuant to N.J.S.A. 40A:4-19
 - f. 69-14 Authorization to Calculate the Township's Tax Collection Rate by Taking Into Account 2013 Tax Appeals and Provide Property Tax Payers the Tax Relief Benefit Offered by N.J.S.A. 40A:4-41(C)(2)
 - g. 70-14 Resolution Authorizing Change Order No. 1 for the Reconstruction of the Outdoor Wading Pool at the Ginny Duenkel Municipal Pool to Cypressco, Industries, Inc. 1420 9th Avenue, Neptune, NJ 07754 in the Amount of \$30,000

- h. 71-14 Resolution Authorizing a Professional Services Contract to T&M Associates, 11 Tindall Rd., Middletown, NJ 07748-2792 to Provide Investigative and Remediation Services at the Public Works Building, 25 Lakeside Avenue in the Amount of 39,300.
- i. 72-14 Resolution Authorizing a Professional Services Contract to Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ 08830 to Provide Services at the Four Fire Houses and the First Aid Squad for the Preparation of an Asbestos Management Plan for a Fee NTE \$22,700.
- j. 73-14 Resolution Awarding a Professional Services Contract to Matrix New World Engineering, Inc., 26 Columbia Turnpike, Florham Park, N.J. 07932, to Provide Professional Engineering and Land Surveying Services for the Improvement of Mt. Vernon Avenue For a Fee NTE \$12,300.00.

10. Ordinances on Second and Final Reading-None

11. Ordinances on First Reading

- a. 2405-14 An Ordinance Amending an Ordinance Creating a Reclassification and Salary Schedule of Certain Township of West Orange Employees Setting Forth Their Titles, Classification and Salary Ranges and Adopting a Salary Guide and Establishing the Employee's Status as a Township Employee and Under the Civil Service System of the State of New Jersey
Police Salary Ordinance as per arbitration decision and award dated February 28, 2014.
- b. 2406-14 Calendar Year 2014 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

12. ABC Hearing-None

13. Adjournment

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

Agenda is subject to change.

RESOLUTION

WHEREAS, 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>
Jersey Battered Women's Service, Inc. On Premise Merchandise	5.19.14	757 Eagle Rock Ave.	7065
Minette Grosso McKenna Angel Foundation, Inc. On Premise Merchandise	5.4.14	90 Rock Spring Rd.	7066
ECLC Foundation Off Premise 50/50	5.8.14	350 Pleasant Valley Way	7067
ECLC Foundation On Premise Merchandise	5.8.14	350 Pleasant Valley Way	7068
Foundation at NJIT Off Premise 50/50	11.14.14	757 Eagle Rock Ave.	7069
St. Mary Armenian Church Off Premise Merchandise	6.5.14	90 Rock Spring Rd.	7070
JCC Metrowest Casino Night	5.14.14	760 Northfield Ave.	7071
Michael T. McCormick, Jr. Memorial Foundation, Inc. Tricky Tray	6.4.14	481 Eagle Rock Ave.	7072

Michael T. McCormick, Jr. Memorial Foundation, Inc. On Premise 50/50	6.4.14	481 Eagle Rock Ave.	7073
--	--------	---------------------	------

Community Health Law Project Off Premise Merchandise	10.23.14	350 Pleasant Valley Way	7074
--	----------	-------------------------	------

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: April 8, 2014

RESOLUTION

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

WHEREAS, there is attached hereto a report of the Township Engineer, recommending reimbursement for 2014 street and road lighting costs to twenty (20) qualified private communities which are either condominiums or cooperatives in accordance with the formula for reimbursement set forth in Ordinance No. 1230-93 and codified as West Orange Revised General Ordinance No. 2-71; and

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

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that the qualified private communities listed on the attached report of the Township Engineer Leonard R. Lepore, be reimbursed, as set forth therein, for 2013 street and road lighting costs.

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

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

SUSAN McCARTNEY, COUNCIL

Adopted: April 8, 2014

I hereby certify funds are available from:

Chief Financial Officer, John Gross

***Account No. 01-2030-00-9501-148
Condo Street Lighting - 2013
\$88,923.27***

RESOLUTION

WHEREAS, the Township of West Orange (the "Township") owns and maintains an outdoor pool facility, which includes locker room facilities, at the Ginny Duenkel Pool Complex, located at 60 ½ Cherry Street in the Township (the "Pool Facilities"); and

WHEREAS, the Montclair YMCA has for many years used the Pool Facilities during limited hours for youth swim practices; and

WHEREAS, the Montclair YMCA has once again requested to use the Pool Facilities for youth swim practices during the summer 2014 season, generally between the hours of 6:00 A.M. and 7:45 A.M. on weekdays from approximately May 23, 2014 through August 31, 2014; and

WHEREAS, the Montclair YMCA has agreed to use the Pool Facilities in exchange for the payment of an hourly rental fee, plus payment of various costs and expenses, pursuant to other terms and conditions set forth in the License Agreement annexed hereto as Attachment "A"; and

WHEREAS, the Montclair YMCA has agreed that its use of the Pool Facilities will not conflict with the Township's uses; and

WHEREAS, the Montclair YMCA has agreed to comply with all pool regulations and all applicable laws;

NOW, BE IT HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that the Mayor be and hereby is authorized to enter into the annexed License Agreement for the Montclair YMCA's limited use of Pool Facilities and the Municipal Clerk shall be authorized to attest to the Mayor's signature; and be it further

RESOLVED, that the entry of the License Agreement shall be subject to the Licensee's providing proof of adequate insurance with the Township named as an additional insured, subject to approval of the Law Department, prior to the use of the Pool Facilities.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: April 8, 2014

***LICENSE AGREEMENT FOR
LIMITED USE OF POOL FACILITIES***

THIS AGREEMENT, effective May ___, 2014 upon full execution by all parties, between:

Township of West Orange, as Licensor ("Township" or "Licensor")

and

The Montclair YMCA, as Licensee ("Montclair Y" or "Licensee")

WHEREAS, the Montclair Y runs a competitive swimming program in the summer and requires pool time for the same; and

WHEREAS, the Township owns a certain outdoor pool and surrounding facility in the Township located at 60½ Cherry Street, West Orange, New Jersey ("Pool Facility").

WHEREAS, the Montclair Y has requested use of the Township's outdoor swimming pool and changing room facilities at the Pool Facility;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

1. **License Date and Effective Date of Agreement.** This License is made with an effective date of May ___, 2014 ("Effective Date"). This Agreement shall not be effective until the Township receives a copy of this Agreement executed by the President of the Board of Trustees or Executive Director of Licensee and the required insurance certificate approved by the Township Attorney along with a Resolution evidencing approval by the Licensor's Township Council.

2. **Description of Agreement Premises.** The premises licensed by Township to Licensee includes the pool and locker rooms located at 60 ½ Cherry Street in the Township ("Premises").

3. **Term.** The term of this License shall be from May 23, 2014 through August 31, 2014.

4. **Licensee's Use.** Licensee shall use the Premises for swim practices and not for any other use. The hours of use will be 6:00 a.m. until approximately 7:45 a.m. Monday through Friday. Assigned days and hours are subject to change during the period of this agreement if Township activities mandate such change. In the event of a conflict with a Township activity where pool and changing room use is required, the Township shall contact the Senior Aquatics Director of the Montclair Y as soon as the

conflict is evident. No alternate arrangements need be made.

5. **Fee and Insurance.** A fee shall be payable in the amount of \$65.00 per hour plus the expense of an assistant manager or other authorized individual employed by the Township who must be onsite at all times during Licensee's use of the Premises. Licensee agrees to maintain public liability insurance naming itself and Township as named insured in an amount not less than one million (\$1,000,000) dollars per occurrence and two million (\$2,000,000) dollars in the aggregate. The Montclair Y shall carry liability insurance with a minimum combined single limit of One Million (\$1,000,000.00) dollars for bodily injury and property damage. The Montclair Y shall provide the original of a Certificate of Insurance to this effect upon signing this agreement. Further, the Montclair Y represents that all participants and staff have additional medical insurance and emergency room coverage under a policy provided through United States Swimming (\$10,000,000.00) and will provide a copy of that documentation included with this signed agreement.

6. **Indemnification.** Licensee shall indemnify and hold harmless Licensors including attorneys fees and expenses from any claims arising from Licensee's use of the Premises.

7. **Usage.** Licensee shall comply with all state and local laws, regulations, codes and ordinances. In addition, Licensee shall comply with all Township pool rules as shall be promulgated from time to time by the Township. Licensee hereby acknowledges receipt and full understanding of all current pool rules.

8. **Hours of Licensee Use.** Licensee shall be permitted to use the Premises during the hours of 6:00 a.m. until 7:45 a.m. Monday through Friday during the term set forth above. Any other hours of use shall be subject to prior written request and approval by the Township. Licensee may not use the Premises at any time without the Licensors' authorized representative present.

9. **Licensee's Care.** Licensee will commit no act of waste, will take good care of the Premises, and will comply with all laws, regulations, rules, and orders of any federal, state, or local government agencies or departments. Licensee will do nothing that may potentially increase the cost of Township's fire or public liability insurance.

10. **Staffing/Supervision & Safety:** Licensee shall provide a certified swim coach (USAS) for all competitive swimming activities and shall also provide a certified pool manager (CPO) to properly open the pool and assure its safety for participants. It shall be the responsibility of the Licensee to ensure the safety of its staff and all participants and to ensure that all staff and participants are properly trained in safety and health procedures and concerns. The Licensee shall immediately report any incidents to the Township's Recreation Department in writing and shall provide the Township's Recreation Department with a written incident report. The Licensee shall assume all liabilities of injuries resulting from swim team related activities.

11. **Lifeguard:** A fully certified lifeguard shall be present at all times. The Licensee will pay all costs for providing the lifeguard and shall reimburse the Township for the utilization of a Township staff lifeguard.

12. **Repairs.** Township will make all necessary repairs to the Premises at Township's expense except when the repairs are caused by the misuse or neglect by Licensee or by persons under Licensee's control or on the Premises at Licensee's invitation, in which even, Licensee shall make those repairs at Licensee's own expense. Licensee shall surrender the Premises in the same condition as they were at beginning of the term, reasonable wear and tear excepted.

13. **Improvements.** Licensee shall not cause any improvements, renovations or other work to be done at the Premises. All of Licensee's personal property shall be removed by Licensee on a daily basis upon the completion of Licensee's hours of use hereunder.

14. **Abandoned Property.** All of Licensee's property remaining on the Premises shall be deemed abandoned and the sole property of the Township.

15. **Payment.** All fees shall be paid within ten (10) days of the end of each month.

16. **Services.** The Township shall provide no services for Licensee's use except as specifically provided herein. Licensee agrees to place all garbage in a designated area. Township agrees to maintain the electrical, plumbing, HVAC and structural systems on the Premises.

17. **Damage to Building.** If the Premises are damaged by fire or any other cause, then Township may, give Licensee notice of election to terminate this Agreement.

18. **Township May Terminate.** If Licensee defaults in the performance of any covenant or condition of this Agreement, Township may, on written notice to Licensee terminate this Agreement.

19. **Notices.** Any notice by either party to the other shall be in writing and shall be deemed to be properly given only if delivered personally, telecopied, or mailed by registered or certified mail, return receipt requested, addressed (a) if to Licensee, at the above indicated location; (b) if to Township, at Township's address set out in this Agreement; or (c) at such addresses as Licensee or Township from time to time may designate in writing. Notice shall be deemed to have been given upon delivery if delivered personally, and if mailed, upon the third day after the date of mailing.

20. **Township's Right to Inspect Premises.** Township may enter the premises at any time without notice to Licensee to inspect the premises or make those repairs, replacements, and additions to the Premises as Township deems necessary or desirable. Licensee shall have no claim or cause of action against Township solely for entering the premises in accordance with the Paragraph.

21. **Interruption of Services or of Occupancy.** Interruption or curtailment of any service maintained on the Premises if caused by strikes, mechanical difficulties, or any other causes beyond Township's control shall not entitle Licensee to any claim against Township or to any abatement in rent, nor shall they constitute constructive or partial eviction.

22. **Elements of Construction Eviction.** Licensee shall not be entitled to claim a constructive eviction from the Premises.

23. **No Representations.** Neither party has made any representations or promises, other than those contained in this Agreement or in some further writing signed by the party making the representation or promise.

24. **Covenant of Quiet Enjoyment.** Township covenants that as long as Licensee pays the rent and any additional fees or rent required under this Agreement and performs Licensee's covenants, Licensee shall peaceably and quietly have, hold, and enjoy the premises for the term provided, subject to the provisions of this Agreement.

25. **Waiver of Jury Trial.** To the extent waiver is permitted by law, the parties waive trial by jury in any action or proceeding brought in connection with this Agreement or the premises.

26. **Captions.** The captions in this Agreement are included for convenience only and shall not be taken into consideration in any construction or interpretation of this Agreement or any of its provisions.

27. **No Assignment.** The Licensee is not permitted to assign sublet or transfer any aspect of this Agreement, in whole or in part, to any entity or person.

28. **Agreement Binding on Successors, Representatives, and Assigns.** The provisions of this Agreement shall apply to, bind, and inure to the benefit of Township and Licensee, their successors, legal representatives, and assigns.

29. **Entire Agreement:** This Agreement may not be modified except by written agreement signed by both of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement.

MONTCLAIR YMCA

Dated: _____

Signed: _____

TOWNSHIP OF WEST ORANGE

Dated:_____

Signed: _____
Robert D. Parisi, Mayor

Dated:_____

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

RESOLUTION INTRODUCING THE 2014 LOCAL MUNICIPAL BUDGET

BE IT RESOLVED, by the Township Council of the Township of West Orange, on this 8th day of April 2014, that the 2014 Local Municipal Budget of the Township of West Orange be and is hereby introduced on first reading and the Township Clerk is directed to read the title thereof in full.

The public hearing for the budget will be May 6, 2014 at 7 p.m. at the Town Hall, Council Chambers located at 66 Main St.

M1 _____ Council member offered the above resolution and moved its adoption.

M2 _____ Seconded by Council member and adopted by the following vote.

Council members:

Councilman Cirilo	_____
Councilman Guarino	_____
Councilman Krakoviak	_____
Councilwoman Spango	_____
Council President McCartney	_____

Karen J. Carnevale, Municipal Clerk

Susan McCartney, Council President

Adopted: April 8, 2014

**RESOLUTION-TEMPORARY BUDGET APPROPRIATION
PURSUANT TO N.J.S.A 40A:4-19**

WHEREAS , N.J.S.A. 40A:4-19 provides for temporary budget appropriations;

WHEREAS , on January 14, 2014 the West Orange Township Council adopted a resolution setting 2014 temporary budget appropriations;

WHEREAS ,the Chief Financial Officer has certified that additional 2014 temporary budget appropriations are required prior to the adoption of the 2014 Budget;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange does hereby authorize to increase the temporary budget appropriations by the attached appropriation adjustments.

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: April 8, 2014

2014 Temporary Budget Adjustment

Account	Account Name	Amount
Current Fund		
01-2010-00-1001	MAYOR S&W	20,171.80
01-2010-00-1002	MAYOR O/E	5,683.19
01-2010-00-1102	PUBLIC INFORMATION OFFICER OE	157.68
01-2010-00-1201	TOWN COUNCIL S&W	16,545.28
01-2010-00-1202	TOWNSHIP COUNCIL-ADV	1,060.00
01-2010-00-1203	TOWN COUNCIL O/E	8,122.25
01-2010-00-1301	ABC S&W	185.50
01-2010-00-1302	ABC O/E	66.25
01-2010-00-1402	TOWNSHIP LITIGATION O/E	72,875.00
01-2010-00-1501	TOWNSHIP CLERK S&W	69,276.63
01-2010-00-1502	TOWNSHIP CLERK O/E	795.00
01-2010-00-1601	MUNICIPAL ELECTION S&W	1,325.00
01-2010-00-1602	MUNICIPAL ELECTION O/E	4,637.50
01-2010-00-1701	LEGAL SERVICES S&W	19,610.00
01-2010-00-1702	LEGAL SERVICES O/E	10,176.00
01-2010-00-1802	HUMAN RELATIONS COMMISSION OE	1,351.50
01-2010-00-1901	PLANNING BOARD S&W	1,391.25
01-2010-00-1902	PLANNING BOARD O/E	2,756.00
01-2010-00-1911	BOARD OF ADJUSTMENT S&W	1,391.25
01-2010-00-1912	BOARD OF ADJUSTMENT O/E	988.45
01-2010-00-1931	WASTE MANAGEM S&W	1,404.50
01-2010-00-1932	WASTE MANAGEM O/E	74,604.92
01-2010-00-1941	MUNICIPAL COURT S&W	93,596.87
01-2010-00-1942	MUNICIPAL COURT O/E	9,222.00
01-2010-00-1951	PUBLIC DEFENDER S&W	4,823.00
01-2010-00-1952	PUBLIC DEFENDER OE	1,590.00
01-2010-00-1962	ENVIRONMENTAL COMMISSION O/E	39.75
01-2010-00-1972	RENT LEVELING O/E	19.88
01-2010-00-2001	BUSINESS ADMI S&W	63,556.24
01-2010-00-2002	BUSINESS ADMI O/E	45,898.00
01-2010-00-2102	ADMIN OF TOWN OWNED PROPERTIES	265.00
01-2010-00-2201	PURCHASING S&W	37,993.85
01-2010-00-2202	PURCHASING O/E	10,202.50
01-2010-00-2302	CENTRAL PRINT O/E	7,340.50
01-2010-00-2402	TELEPHONE COMMUNICATIONS O/E	62,275.00
01-2010-00-2531	CENTRAL INSURANCE-ADMIN S&W	636.00

01-2010-00-2532	CENTRAL INSURANCE - HEALTH	2,562,985.70
01-2010-00-2533	CENTRAL INS - UNEMPLOYMENT	26.50
01-2010-00-2534	CENTRAL INSURANCE- LIABILITY	225,250.00
01-2010-00-2535	CENTRAL INS - WORK-COMP	132,500.00
01-2010-00-2602	CENTRAL MAILING O/E	19,543.75
01-2010-00-2701	TOWNSHIP PHYSICIAN S&W	265.00
01-2010-00-2702	TOWNSHIP PHYSICIAN O/E	2,481.73
01-2010-00-2801	COLLECTORS OF S&W	49,184.28
01-2010-00-2802	COLLECTORS OF O/E	6,413.00
01-2010-00-2902	TREASURER O/E	2,623.50
01-2010-00-2951	COMPTROLLER S&W	118,326.14
01-2010-00-2952	COMPTROLLER O/E	37,636.63
01-2010-00-3001	PLANNING & DEV S&W	79,457.26
01-2010-00-3002	PLANNING & DE O/E	8,505.18
01-2010-00-3101	HOUSING CODE S&W	53,879.80
01-2010-00-3102	HOUSING CODE O/E	1,517.13
01-2010-00-3152	HISTORIC PRESERVATION O/E	397.50
01-2010-00-3202	WO ARTS COUNCIL O/E	397.50
01-2010-00-3302	MAIN STREET O/E	11,264.89
01-2010-00-3402	WO ENERGY COMMISSION O/E	265.00
01-2010-00-4001	TAX ASSESSOR S&W	56,267.98
01-2010-00-4002	TAX ASSESSOR O/E	10,759.00
01-2010-00-5001	POLICE S&W	3,079,712.00
01-2010-00-5002	POLICE UNIFORM O/E	25,148.50
01-2010-00-5003	POLICE O/E	105,496.50
01-2010-00-6001	FIRE S&W	2,345,266.03
01-2010-00-6002	FIRE O/E	31,994.78
01-2010-00-6003	FIRE O/E	19,716.00
01-2010-00-6101	UNIFORM FIRE SAFETY S&W	7,486.25
01-2010-00-6102	UNIFORM FIRE SAFETY O/E	8,949.58
01-2010-00-6201	EMERGENCY MGT S&W	1,192.50
01-2010-00-6202	EMERGENCY MGT O/E	1,537.00
01-2010-00-7001	ENGINEERING S&W	146,839.88
01-2010-00-7002	ENGINEERING O/E	1,219.00
01-2010-00-7101	BUILDING & PROPERTY O/E	103,873.38
01-2010-00-7202	SHADE TREE O/E	18,616.25
01-2010-00-7301	PARKING FAC MAINT & REPAIR S&W	583.00
01-2010-00-7302	PARKING FAC MAINT & REPAIR O/E	1,184.55
01-2010-00-7401	PUBLIC WORKS S&W	734,295.96
01-2010-00-7502	STREET SALT & CHLORIDE O/E	117,925.00
01-2010-00-7503	STREET CLEANING AND DRAINAGE O	12,879.00
01-2010-00-7602	STREET REPAIR O/E	18,642.75
01-2010-00-7702	STREET SERVICE & TRAFFIC O/E	3,471.50

01-2010-00-7802	SANITATION O/E	1,616.50
01-2010-00-7902	CENTRAL AUTOMOTIVE O/E	145,352.50
01-2010-00-7952	SEWER & PUMP STATIONS O/E	15,317.00
01-2010-00-8051	GENERAL HEALTH SERVICES S&W	141,540.11
01-2010-00-8052	GENERAL HEALTH SERVICES O/E	5,928.58
01-2010-00-8101	SEN CITIZEN TRANS S&W	57,996.35
01-2010-00-8102	SEN CITIZEN TRANS O/E	251.75
01-2010-00-8301	WELFARE S&W	35,140.06
01-2010-00-8302	WELFARE O/E	1,338.25
01-2010-00-8401	ANIMAL CONTROL S&W	34,219.97
01-2010-00-8402	ANIMAL CONTROL O/E	841.38
01-2010-00-8502	PODIATRY CLINIC O/E	3,842.50
01-2010-00-8601	SEN CITIZEN HEALTH CTR S&W	46,961.50
01-2010-00-8602	SEN CITIZEN HEALTH CTR OE	1,265.38
01-2010-00-8632	AID TO HEALTH CARE FAC O/E	397.50
01-2010-00-8751	CHILD HEALTH CLINIC S&W	795.00
01-2010-00-8752	CHILD HEALTH CLINIC O/E	1,099.75
01-2010-00-8762	RETIRED CITIZENS PROGRAM O/E	5,525.25
01-2010-00-8801	RIGHT TO KNOW S&W	1,285.25
01-2010-00-8802	RIGHT TO KNOW O/E	112.63
01-2010-00-8902	GARBAGE-TRASH REMOVAL O/E	901,000.00
01-2010-00-9002	COMMUNITY SERVICES O/E	19,941.25
01-2010-00-9101	PARKS & PLAYGROUNDS S&W	173,106.41
01-2010-00-9102	PARKS & PLAYGROUNDS O/E	33,443.00
01-2010-00-9302	CELECRATION OF PUBLIC EVENTS O	12,296.00
01-2010-00-9401	CONSTRUCTION S&W	113,271.60
01-2010-00-9402	CONSTRUCTION O/E	18,470.50
01-2010-00-9500	ELECTRICITY O/E	155,025.00
01-2010-00-9501	CONDO STREET LIGHTING O/E	166,950.00
01-2010-00-9502	FUEL O/E	189,066.90
01-2010-00-9503	FUEL OIL	662.50
01-2010-00-9504	WATER- O/E	10,070.00
01-2010-00-9505	FIRE HYDRANT SERVICE O/E	177,192.25
01-2010-00-9610	CHALLENGE GRANT BUS SHUTTLE O/	39,084.19
01-2010-00-9611	SALARY ADJUSTMENT S&W	1,325.00
01-2010-00-9612	NJSLOM	875.83
01-2010-00-9613	MEDICAL TRANSPORT BILLING SERV	33,125.00
01-2010-00-9614	CONTINGENT O/E	265.00
01-2010-00-9902	PERS O/E	242,546.02
01-2010-00-9903	FICA O/E	285,664.44
01-2010-00-9904	CONSOLIDATED P & F PENSION O/E	4,698.55
01-2010-00-9905	P&F RET SYSTEM O/E	1,102,654.67
01-2010-00-9907	DEFINED CONTRIBUTION RET. O/E	530.00

01-2010-02-1005	EMPLOYEES HOSP OUT OF CAP	33,425.86
01-2010-02-1006	JOINT OUTLET SEWER M O/E	2,523,232.00
01-2010-02-1007	MAINT.FREE PUBLIC LIBRARY O/E	527,130.75
01-2010-06-1002	CAPITAL IMPROVEMENT FUND	200,000.00
01-2010-11-1000	PENDING RETRO	238,500.00
Total		18,522,390.27

**RESOLUTION TO PROVIDE PROPERTY TAX PAYERS THE
TAX RELIEF BENEFITS OFFERED BY N.J.S.A. 40A:4-41(c)(2)**

WHEREAS, N.J.S.A. 40A:4-41(c)(2) states that if tax appeal judgments of the county tax board pursuant to R.S.54:3-21 et seq., or the State tax court pursuant to R.S.54:48-1 et seq., result in tax reductions for the previous fiscal year, the governing body of the municipality may elect to calculate the current year reserve for uncollected taxes by reducing the certified tax levy of the prior year by the amount of the tax levy adjustments resulting from those judgments, and

WHEREAS, N.J.S.A. 40A:4-41(c)(2) states that the election of this choice shall be made by resolution, approved by a majority vote of the full membership of the governing body prior to the introduction of the annual budget pursuant to N.J.S.40A:4-5;

WHEREAS, the Township of West Orange's adjusted Tax Levy in 2013 was \$205,931,776.03; and

WHEREAS, during 2013 the Township of West Orange Tax Levy was reduced by \$506,809.44 in 2013 tax appeals; and

WHEREAS, the Township of West Orange desires to provide its property tax payers the tax relief benefit offered by N.J.S.A. 40A:4-41 (c)(2),

NOW THEREFORE, BE IT RESOLVED that the Township of West Orange does here elect to calculate the current year reserve for uncollected taxes by reducing the certified tax levy of the prior year by the amount of the tax levy adjustments resulting from those judgments.

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Adopted: April 8, 2014

RESOLUTION

WHEREAS, the Township of West Orange awarded a contract for the 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 on March 25, 2014; and

WHEREAS, the original construction contract amount was \$227,723.00; and

WHEREAS, the West Orange Township Engineer recommends the following Change Order No. 1 to said award as being necessary and beneficial; and

WHEREAS, Change Order No. 1 reflects the additional costs as shown in the attached construction Change Order No. 1 submitted by the contractor and reviewed and approved by the Township Engineer for demolishing and reconstructing the entire Wading Pool to the plans and specifications for the new construction in lieu of salvaging and refinishing about one-half the existing pool; and

WHEREAS, this Change Order No. 1 represents an increase in the amount of \$30,000.00 or a 13.174 percent increase in the award contract amount; and

WHEREAS, there are sufficient funds to pay for this Change Order; and

WHEREAS, the Township Council concurs in the foregoing.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that Change Order No. 1 a total increase of \$30,000.00 or 13.174 percent be added to the original contract amount of \$227,723.00 for the construction of a new spray pad and wading pool at the Ginny Duenkel Municipal Pool, William Street and Cherry Street, West Orange, New Jersey and the increase contract total amount is \$257,723.00, be and is hereby approved, and the Township Council further authorizes Leonard R. Lepore, Municipal Engineer, to execute said change order.

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

SUSAN McCARTNEY, COUNCIL

Adopted: April 8, 2014

I hereby certify funds are available from: Account No. 03-2137-22-5030-010
\$30,000.00

JOHN GROSS, CHIEF FINANCIAL OFFICER

RESOLUTION

WHEREAS, the Township of West Orange requires the services of a Professional Environmental Firm to provide investigative and remediation services at the Public Works Building at 25 Lakeside Avenue where an underground storage tank containing gasoline leaked and contaminated soil and groundwater; and

WHEREAS, all investigative and remediation work shall be conducted in accordance with the rules and regulations of the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, the State created the Site Remediation Reform Act (SRRA) which established Licensed Site Remediation Professional (LSRP) to direct, oversee and take responsibility for the remediation of contaminated sites pursuant to NJDEP rules and regulations; and

WHEREAS, the Township Engineer's office solicited proposals from three environmental and professional engineering firms with Licensed Site Remediation Professionals; and

WHEREAS, by the due date of February 19, 2014 the Township Engineer's office received three proposals; and

WHEREAS, the Township Engineer reviewed the proposals; and

WHEREAS, as a result of the Township Engineer's review, the Township Engineer recommends a professional services contract be awarded to T & M Associates, 11 Tindall Road, Middletown Road, New Jersey 07748-2792 whose proposal dated February 18, 2014 in the amount of \$39,300.00 was the lowest fee that was responsive to the proposal; and

WHEREAS, sufficient funds exist for the services outlined in the proposal of T & M Associates; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange, New Jersey that a professional services contract be awarded to T & M Associates, 11 Tindall Road, Middletown, New Jersey 07748-2792 to provide professional environmental site remediation services at the Public Works Building, 25 Lakeside Avenue which contained a leaking underground storage tank under the direction, supervision and responsibility of a Licensed Site Remediation Professional (LSRP) created by the Site Remediation Reform Act (SRRA) all in accordance with their proposal dated February 18, 2014 for a total fee not to exceed \$39,300.00.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the West Orange Chronicle within ten (10) days of its approval as required by State Statute.

**KAREN CARNEVALE, MUNICIPAL CLERK
COUNCIL PRESIDENT**

SUSAN McCARTNEY,

Adopted: April 8, 2014

I hereby certify funds are available from: _____
ACCOUNT NO.

JOHN GROSS, CHIEF FINANCIAL OFFICER

SUMMARY OF BIDS

- | | | |
|-------|-----------------------------------|-----------------------------|
| 1. | T & M Associates | \$39,300.00 |
| | 11 Tindall Road | \$3,650.00 unit price |
| add'l | | |
| | Middletown, New Jersey 07748 | monitoring |
| wells | | |
| 2. | Matrix Newworld Engineering, Inc. | \$39,700.00 |
| | 26 Columbia Turnpike | \$3,520.00 unit price add'l |
| | Florham Park, New Jersey 07932 | monitoring wells |
| 3. | Lan Associates | \$53,450.00 |
| | 445 Godwin Avenue | \$5,100.00 unit price add'l |
| | Midland Park, New Jersey 07432 | monitoring wells |

RESOLUTION

WHEREAS, the Township of West Orange requires the services of a Professional Environmental Engineering Firm to prepare an Asbestos Management Plan and an HVAC Preventative Maintenance Plan for all four West Orange Fire Houses and the West Orange First Aid Squad Building pursuant to inspections made by the New Jersey Department of Health and the New Jersey Department of Labor, Office of Public Employees Occupational Safety and Health (PEOSH), and State and Federal Regulations; and

WHEREAS, plans shall be prepared in accordance with the rules and regulations of the New Jersey Department of Health and the New Jersey Department of Labor, Office of Public Employees Occupational Safety and Health (PEOSH) as well as industry standards; and

WHEREAS, the Township Engineer's office solicited proposals from three environmental and professional engineering firms with professional personnel and experience to prepare those plans; and **WHEREAS,** by the due date of April 1, 2014 the Township Engineer's office received three proposals; and

WHEREAS, the Township Engineer reviewed the proposals; and

WHEREAS, as a result of the Township Engineer's review, the Township Engineer recommends a professional services contract be awarded to Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey 08830 whose proposal dated March 31, 2014, in the amount of \$22,700.00 was the lowest fee that was responsive to the proposal; and

WHEREAS, sufficient funds exist for the services outlined in the proposal of Hatch Mott MacDonald; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange, New Jersey that a professional services contract be awarded to Hatch Mott

MacDonald, 111 Wood Avenue South, Iselin New Jersey 08830 to provide professional services at the four Fire Houses and the First Aid Squad for the preparation of an Asbestos Management Plan all in accordance with their proposal dated March 31, 2014 for a total fee not to exceed \$22,700.00.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the West Orange Chronicle within ten (10) days of its approval as required by State Statute.

**KAREN CARNEVALE, MUNICIPAL CLERK
PRESIDENT**

SUSAN McCARTNEY, COUNCIL

Adopted: April 8, 2014

*I hereby certify funds are available from: ACCOUNT NO . 03-2366-12-0070-010
Improvement to Municipal Buildings*

JOHN GROSS, CHIEF FINANCIAL OFFICER

RESOLUTION

WHEREAS, the Township of West Orange proposes to improve Mt. Vernon Avenue with new curb, pavement and a storm water collection and conveyance system; and

WHEREAS, to design and specify these improvements the Township requires the services of a professional engineering and land surveying firm; and

WHEREAS, the Township Engineer prepared a Request for Proposal dated January 14, 2014 for these professional design services; and

WHEREAS, the Township Engineer solicited proposals from four professional engineering and land surveying firms: Matrix New World Engineering, Inc. of Florham Park, N.J., Crew Engineers, Inc. of Butler, N.J., Suburban Consulting Engineers, Inc. of Mt. Arlington, N.J. and Keller and Kirkpatrick Inc., of Morris Plains, N.J.; and

WHEREAS, all four firms responded to the Request for Proposals; and

WHEREAS, the Township Engineer upon review of the proposals determined all four firms were responsive; and

WHEREAS, all four firms previously provided professional engineering services to the Township and their work quality was excellent; and

WHEREAS, by letter dated April 4, 2014 the Township Engineer recommended a professional services contract be awarded to Matrix New World Engineering Inc. for the design and specifications of Mt. Vernon Avenue Roadway Improvements in accordance with their proposal dated February 3, 2014 in an amount not to exceed \$12,300.00; and

WHEREAS, sufficient funds exist for the services outlined in the proposal of Matrix New World Engineering, Inc.; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange, New Jersey that a professional services contract be awarded to Matrix New World Engineering, Inc., 26 Columbia Turnpike, Florham Park, N.J. 07932 to provide professional

engineering and land surveying services for the Improvement of Mt. Vernon Avenue in accordance with their proposal dated February 3, 2014 for a fee not to exceed \$12,300.00.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the West Orange Chronicle within ten (10) days of its approval as required by State Statute.

**KAREN CARNEVALE, MUNICIPAL CLERK
PRESIDENT**

SUSAN McCARTNEY, COUNCIL

I hereby certify funds are available from: **ACCOUNT NO . 03-2137-22-5040-010**
2013 Resurfacing

JOHN GROSS, CHIEF FINANCIAL OFFICER

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

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

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

<u>TITLES</u>	<u>DATE</u>	<u>MINIMU</u>	<u>MAXIMUM</u>
Police Chief	1/1/2010	84,651	154,336
	1/1/2011	84,651	154,336
	1/1/2012	86,344	157,423
	1/1/2013	88,071	160,571
Deputy Police Chief	1/1/2010	127,341	136,637
	1/1/2011	127,341	136,637
	1/1/2012	129,888	139,370
	1/1/2013	132,486	142,157
Police Captain	1/1/2010	112,651	120,860
	1/1/2011	112,651	120,860
	1/1/2012	114,904	123,277
	1/1/2013	117,202	125,743
Police Lieutenant	1/1/2010	99,689	106,956
	1/1/2011	99,689	106,956
	1/1/2012	101,683	109,095
	1/1/2013	103,717	111,277
Police Sergeant	1/1/2010	89,012	94,656
	1/1/2011	89,012	94,656
	1/1/2012	90,792	96,549
	1/1/2013	92,608	98,480
Police Officer	1/1/2010	50,882	84,458
	1/1/2011	50,882	84,458
	1/1/2012	51,900	86,147
	1/1/2013	52,938	87,870
Police Officer Training Step	1/1/2010	41,393	41,393
	1/1/2011	41,393	41,393
	1/1/2012	42,221	42,221
	1/1/2013	43,065	43,065

SECTION 2. This ordinance and the titles and salary ranges herein provided shall become effective January 1, 2010, January 1, 2011, January 1, 2012, and January 1, 2013.

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

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

In addition, the Line Detective Stipend shall increase to 1,250 effective 01/01/12 and 1,500 effective 01/01/13.

Effective January 1, 2012, all members of the bargaining unit shall receive a \$625 annual stipend as part of their pensionable base salary. Effective January 1, 2013, all members of the bargaining unit shall receive an additional \$625 annual stipend (totaling \$1,250) as part of their pensionable base salary. The stipends shall not be increased based upon any future negotiated increase to the salary schedule. Officers who separate from employment in good standing during each calendar year shall receive the annual stipend on a prorated basis.

Effective on the date of this Award, there shall be a new hire salary schedule adding two (2) additional steps to be calculated in equal dollar amounts.

ROBERT D. PARISI, MAYOR

Karen J. Carnevale, R.M.C.

SUSAN MCCARTNEY, COUNCIL PRESIDENT

Introduced: April 8, 2014

Adopted: April 22, 2014

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

2405-14

LEGISLATIVE HISTORY

All titles include a 0% increase January 1, 2010, a 0% increase January 1, 2011, a 2% increase January 1, 2012, and a 2% increase January 1, 2013.

Ordinance reflects NJ PERC Interest Arbitration Decision and Award dated 02/28/14.

**CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE
MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of West Orange in the County of Essex finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township of West Orange hereby determines that a 3.5% increase in the budget for said year, amounting to \$1,725,543.27 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township of West Orange hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget, shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of West Orange shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$1,725,543.27 and that the CY 2014 municipal budget for the Township of West Orange be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

This ordinance shall take effect after its final passage and publication in accordance with the law.

Susan McCartney
Council President

Robert D. Parisi, Mayor

Karen J. Carnevale
Municipal Clerk

Introduced: April 8, 2014

Adopted: April 22, 2014 (tentatively scheduled)