

1. Conference Meeting Agenda

Documents: [CA8.12.14.PDF](#)

2. Public Meeting Agenda

Documents: [PM8.12.14.PDF](#)

3. Resolution(S)

3.I. 141-14

Documents: [141-14 2014 ESSEX COUNTY MULTIJURISDICTIONAL ALL HAZARDS MITIGATION PLAN.PDF](#), [141-14 ALL HAZARDS MITIGATION PLAN SIGN OFF SHEET.PDF](#)

3.II. 142-14

Documents: [142-14 AUTHORIZING A. BEIRNE TO DEFEND GAVILANEZ LITIGATION.PDF](#)

3.III. 143-14

Documents: [143-14 CHAPTER 159 - FY2013 EMERGENCY MANAGEMENT CERT TRAILER GRANT.PDF](#)

3.IV. 144-14

Documents: [144-14 CHAPTER 159 - FY2013 MUNICIPAL ALLIANCE GRANT.PDF](#)

3.V. 145-14

Documents: [145-14 TOWO FORM MCDC-AUDIT RESOLUTION.PDF](#), [145-14 EXHIBITS A AND B.PDF](#)

3.VI. 146-14

Documents: [146-14 CHAPTER 159 - FY2014 DRIVE SOBER OR GET PULLED OVER LABOR DAY CRACKDOWN GRANT.PDF](#)

3.VII. 147-14

Documents: [147-14 DRIVE SOBER OR GET PULLED OVER 2014 RESOLUTION.PDF](#)

3.VIII. 148-14 REVISED

Documents: [148-14 RAFFLE LICENSES-8.12.14.PDF](#)

3.IX. 149-14

Documents: [149-14 SUBORDINATION OF MORTGAGE-283 SAINT CLOUD AVENUE.PDF](#)

3.X. 150-14

Documents: [150-14 ATTACHMENT - EXTENDING TB AGREEMENT UMDNJ.PDF](#), [150-14 AUTHORIZING EIGHTH AMENDMENT TO TB CONSULTATION AGREEMENT-UMDNJ.PDF](#)

3.XI. 151-14

Documents: [151-14 RESOLUTION AUTHORIZING EXECUTION OF METLIFE INSURANCE AGREEMENT.PDF](#), [151-14 EXHIBIT A- METLIFE INSURANCE AGREEMENT.PDF](#)

3.XII. 152-14

Documents: [152-14 SHIRLEY BISHOP 2014 RESOLUTION.PDF](#), [152-14 AGREEMENT-SHIRLEY BISHOP 2014.PDF](#)

3.XIII. 153-14

Documents: [153-14 RESOLUTION-TAX OVERPAYMENT.PDF](#), [153-14 ATTACHMENT-](#)

[SCHEDULE A.PDF](#)

3.XIV. 154-14

Documents: [154-14 PILOT PROGRAM - ELECTRONIC TAX SALE.PDF](#)

3.XV. 155-14

Documents: [155-14 RESOLUTION AUTHORIZING POLICE CAR LEASE 91K.PDF](#)

3.XVI. 156-14

Documents: [156-14 RESOLUTION AUTHORIZING LEASE PURCHASE-FIRST HOPE 77,881.50.PDF](#)

3.XVII. 157-14

Documents: [157-14 RESOLUTION ABANDONED CARS 08262014.PDF](#)

3.XVIII. 158-14

Documents: [158-14 PURCHASE OF 4 POLICE VEHICLES THROUGH MCCPC 2014.PDF](#)

3.XIX. 159-14

Documents: [159-14 RESOLUTION FOR STATE CONTRACT 3 FORD F-450 VEHICLES 2014.PDF](#)

4. Ordinance(S) On Second And Final Reading

4.I. 2413-14

Documents: [2413-14 SALARY ORDINANCE - AMENDED TWO TITLES.PDF](#)

4.II. 2414-14

Documents: [2414-14 C 7, SUBSECTION 7-20 MARSHALL AND HOLMES.PDF](#)

4.III. 2415-14

Documents: [2415-14 SALARY ORDINANCE-COMMUNICATIONS OPERATOR.PDF](#)

4.IV. 2416-14

Documents: [2416-14 -AMEND C7 SUBSECTION 7-46.2 AND 7-14.3 GLENVIEW DR..PDF](#)

5. Ordinance(S) On First Reading

5.I. 2417-14

Documents: [2417-14 ADDING SECTION 4 TO C18-FIRE DEPT. - REQUIRING INSTALLATION OF KEY BOXES.PDF](#)

5.II. 2418-14

Documents: [2418-14 - ADDING SECTION 5 TO C18 FIRE DEPT.-REQUIRING INSTALLATION WOFD CONNECTION INDICATOR LIGHT.PDF](#)

5.III. 2419-14

Documents: [2419-14 ORDINANCE AMENDING C4, SECT. 35.2 WILDLIFE FEEDING.PDF](#)

5.IV. 2420-14

Documents: [2420-14 OAK RIDGE ROAD AND HAZEL AVENUE TURN PROHIBITIONS.PDF](#)

5.V. 2421-14

Documents: [2421-14 AMENDING C7-SUB. 7-12 ALTERNATE SIDE PARKING REGULATIONS-CARY STREET.PDF](#)

5.VI. 2422-14

Documents: [2422-14 AMENDING C7-SUB. 7-12 ROLLINSON STREET.PDF](#)

COUNCIL COMMITTEE CONFERENCE MEETING

AGENDA

Council Chambers - 66 Main Street, West Orange, NJ

August 12, 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)

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6:30 P.M

- a. **Presentation**: West Orange Cobra Baseball Spring Champions

- b. **Recognition**: US Capitol Historical Society- National Writing Contest
Winner-Mahishan Gnanaseharan

- c. **Presentation**-National Night Out

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

- e. **Council Liaison Announcements**

7:00 P.M.

- **Public Meeting**

Agenda is subject to change.

AGENDA
August 12, 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 – Public Meeting July 22, 2014**
- 6. *Report of Township Officers-None**
- 7. *Reading of Petitions and Communications and Bids-None**
- 8. *Bills**
- 9. *Resolutions**
 - a. 141-14 Resolution Authorizing the Adoption of the 2014 Essex County Multi-Jurisdictional All-Hazards Mitigation Plan Update
 - b. 142-14 Resolution Authorizing Ms. Alice Bierne, Esq. to File an Answer and Defend the Zoning Board in the Gavilanez Litigation at an Hourly Rate of \$150. *****
 - c. 143-14 Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87-FY2013 Emergency Management CERT Trailer Grant
 - d. 144-14 Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87-FY2013 Municipal Alliance Grant
 - e. 145-14 Resolution Directing the Undertaking of a Continuing Disclosure Review and Authorizing Participation in the Municipalities Continuing Disclosure Cooperation Initiative of the Division of the U.S. Securities and Exchange Commission
 - f. 146-14 Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87-FY2014 Drive Sober or Get Pulled Over Labor Day Crackdown Grant
 - g. 147-14 Resolution Supporting the Drive Sober or Get Pulled Over 2014 Statewide Crackdown

- h. 148-14 Resolution Authorizing Raffle Licenses
- i. 149-14 Resolution Authorizing a Subordination of Mortgage in Favor of Wells Fargo with Respect to 283 St. Cloud Avenue, Block 168, Lot 10.02
- j. 150-14 Resolution Authorizing an Eighth Extension of TB Consultation Services Agreement to Meet State Mandated Services with the New Jersey Medical School Global Tuberculosis Institute at Rutgers for the period between January 1, 2014 and December 31, 2014 at the Annual Rate of \$4,752.00*****
This agreement is contingent upon the availability of funds to be appropriated in the 2014 Municipal Budget
- k. 151-14 A Resolution Authorizing the Mayor to Sign Agreement with Metlife to Provide Certain Insurance Coverage to Full Time Township Employees at No Cost to the Township*****
- l. 152-14 Resolution Authorizing a Professional Services Contract with Shirley Bishop for the Purpose of for the purposes of Assisting the Township in Preparing its Third Round Housing Element and Fair Share Plan at a Rate of \$165.00 per hour Commencing August 1, 2014 through December 31, 2014, for an Amount NTE \$20,000*****
- m. 153-14 Resolution Authorizing Tax Overpayment Refunds to Listed Taxpayer on “Schedule A”
- n. 154-14 Resolution Authorizing the Tax Collector To Complete an Application to Participate in the Electronic Tax Sale Program and Submit Same to the Director of the Division of Local Government Services
- o. 155-14 Resolution Authorizing Participation in the Middlesex Regional Educational Services Commission lease/purchase program with First Hope Bank for the amount of \$90,923.50*****
- p. 156-14 Resolution Authorizing Participation in the Middlesex Regional Educational Services Commission lease/purchase program with First Hope Bank for the amount of \$77,881.50*****
- q. 157-14 Resolution to authorize Abandoned Car Sale at Twin Towing and Select Towing on August 26, 2014
- r. 158-14 Resolution to purchase four (4) 2014 Police Interceptor Vehicles through the Morris County Cooperative Pricing Council
- s. 159-14 Resolution to purchase Three (3) Ford F-450 Vehicles through State of New Jersey Contract #A83560

10. Ordinances on Second and Final Reading

- a. 2413-14 An Ordinance Amending an Ordinance Creating a Reclassification and Salary Schedule of Certain Township of West Orange Municipal Employees Setting Forth Their Titles, Classification and Salary Ranges and Adopting a Salary Guide and Establishing the Employee’s Status as a Township Employee and Under the Guidelines of the NJ Department of Personnel-Changes per adoption of 2014 Budget/Title Consolidations-Health Department
- b. 2414-14 An Ordinance Amending and Supplementing Chapter 7, Traffic Subsection 7-20, Stop Intersection of the Revised General Ordinances of the Township of West Orange-Marshall Street and Holmes Street
This Ordinance will designate the intersections of Marshall Street and Phyllis Road and Holmes Street and Phyllis Road as Stop Intersections with Stop signs on Marshall Street and Holmes Street.

- c. 2415-14 An Ordinance Amending an Ordinance Creating a Reclassification and Salary Schedule of Certain Township of West Orange Municipal Employees Setting Forth Their Titles, Classification and Salary Ranges and Adopting a Salary Guide and Establishing the Employee's Status as a Township Employee and Under the Guidelines of the NJ Department of Personnel-Changes per adoption of 2014 Budget/Title Consolidations-Senior Communications Operator/Communications Operator-Bilingual
- d. 2416-14 An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-46.2, Parking Prohibited During Certain Hours on Certain Streets Servicing Residential Land Uses, Except by Permit and Subsection 7-14.3, Parking Time Limited on Certain streets During Certain Hours of Certain Days of the Revised General Ordinances of the Township of West Orange. **This Ordinance designates a portion of Glen View Drive between Northfield Avenue and Beacon Place as a Restricted Parking Street. A Restricted Parking Street is a residential street where parking is prohibited except by permit and permits are only issued to residents. The purpose of this designation is to curtail parking on the street by nearby and adjoining non residential uses.**

11. Ordinances on First Reading

- a. 2417-14 An Ordinance Requiring the Installation of a Key Lock Box Emergency Access System for Use by the West Orange Fire Department During an Emergency or Any Other Action Deemed Necessary by the W. O. Fire Department and Adding Section 4 to Chapter 18 of the Municipal Code of the Township of West Orange
- b. 2418-14 An Ordinance Requiring the Installation of a Fire Department Connection Indicator Light for Use by the West Orange Fire Department and Adding Section 5 to Chapter 18 of the Municipal Code of the Township of West Orange
- c. 2419-14 An Ordinance Amending Chapter 4, Subsection 35.2 of the Revised General Ordinances of the Township of West Orange-Restrictions-Feeding Wildlife
- d. 2420-14 An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-23.1, Turn Prohibitions of the Revised General Ordinances of the Township of West Orange – Oak Ridge Road and Hazel Avenue
- e. 2421-14 An Ordinance Amending and Supplementing Chapter 7, Traffic Subsection 7-12, Parking Prohibited for Street Cleaning and Maintenance, Subsection 7-13, Parking Prohibited at all Times on Certain Streets, Subsection 7-14.7, Alternate Side Parking, of the Revised General Ordinances of the Township of West Orange-Cary Street
- f. 2422-14 An Ordinance Amending and Supplementing Chapter 7, Traffic Subsection 7-12, Parking Prohibited for Street Cleaning and Maintenance, Subsection 7-13, Parking Prohibited at all Times on Certain Streets and Subsection 7-14.1c Night Parking Restrictions on Certain Streets of the Revised General Ordinances of the Township of West Orange – Rollinson Street

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.

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE
AUTHORIZING THE ADOPTION OF THE 2014 ESSEX COUNTY
MULTI-JURISDICTIONAL ALL-HAZARDS MITIGATION PLAN UPDATE**

WHEREAS, all of Essex County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS; a coalition of Essex County jurisdictions with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Essex County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the **TOWNSHIP OF WEST ORANGE** adopts in its entirety, the 2014 Essex County Multi-Jurisdictional All-Hazards Mitigation Plan Update (the "Plan") as the jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.

- 1) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 2) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 3) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 4) Will help to promote and support the mitigation successes of all participants in this Plan.
- 5) Will incorporate mitigation planning as an integral component of government and partner operations.
- 6) Will provide an update of the Plan in conjunction with the County no less than every five years.

PASSED AND ADOPTED on this 12th day of August, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Karen J. Carnevale, Municipal Clerk

Robert D. Parisi, Mayor

TOWNSHIP OF WEST ORANGE

Management

Mayor/Administrator

_____ Name	_____ Signature	_____ Date
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Engineer

_____ Name	_____ Signature	_____ Date
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Fiscal/CFO

_____ Name	_____ Signature	_____ Date
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Building Code Official

_____ Name / Title	_____ Signature	_____ Date
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Floodplain Administrator

_____ Name / Title	_____ Signature	_____ Date
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Emergency Manager

_____ Name / Title	_____ Signature	_____ Date
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Land Use Planner

_____ Name / Title	_____ Signature	_____ Date
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Public Works Director

_____ Name / Title	_____ Signature	_____ Date
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Police Department

_____ Name / Title	_____ Signature	_____ Date
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Fire Department

_____ Name / Title	_____ Signature	_____ Date
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RESOLUTION

WHEREAS, Alice Beirne, Esq., has served as the Zoning Board of Adjustment (“Zoning Board”) Attorney in the Township of West Orange (the “Township”), pursuant to Chapter 25, Section 47.6 of the Township’s Revised General Ordinances, since 2006; and

WHEREAS, in her capacity as Zoning Board Attorney, Ms. Beirne has exhibited special skill and expertise in defending the Zoning Board against legal challenges to its determinations; and

WHEREAS, on June 5, 2014, a Complaint in Lieu of Prerogative Writs was filed in the matter captioned Laura Gavilanez v. Zoning Board of Adjustment of the Township of West Orange, Docket No. ESX-L-4039-14 (the “Gavilanez Litigation”); and

WHEREAS, in the Gavilanez Litigation, the plaintiff is challenging the Zoning Board’s April 17, 2014 denial of her application to convert the first floor apartment of her two-family dwelling located at 134 Main Street, designated as Block 89, Lot 32 on the Tax Maps of the Township, into a hair salon, a personal-service use, with the second floor apartment remaining as a residential use; and

WHEREAS, the Law Department recommends that Ms. Beirne be authorized to file an answer and defend the Zoning Board in the Gavilanez Litigation at an hourly rate of \$150; and

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange, that Alice Beirne, Esq. is hereby authorized to file an answer and defend the Zoning Board in the Gavilanez Litigation at an hourly rate of \$150; and it is further

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

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: August 12, 2014

**Resolution Requesting Approval of Items of Revenue and Appropriation
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government

Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was

not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Orange in the County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$1,250.00, which is now available as a revenue from FY2013 Emergency Management CERT Trailer Grant, pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$1,250.00 is hereby appropriated under the caption FY2013 Emergency Management CERT Trailer Grant; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$1,250.00 from FY2013 Emergency Management CERT Trailer Grant.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: August 12, 2014

**Resolution Requesting Approval of Items of Revenue and Appropriation
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government

Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was

not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Orange in the County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$29,900.00, which is now available as a revenue from FY2013 Municipal Alliance Grant, pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$29,900.00 is hereby appropriated under the caption FY2013 Municipal Alliance Grant; and

BE IT FURTHER RESOLVED that the sum \$7,475.00 representing the amount required for the municipality's share of the aforementioned undertaking or improvement appears in the 2014 Adopted Budget; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$29,900.00 from FY2013 Municipal Alliance Grant.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: August 12, 2014

RESOLUTION OF THE TOWNSHIP OF WEST ORANGE DIRECTING
THE UNDERTAKING OF A CONTINUING DISCLOSURE REVIEW AND
AUTHORIZING PARTICIPATION IN THE MUNICIPALITIES
CONTINUING DISCLOSURE COOPERATION INITIATIVE OF THE
DIVISION OF ENFORCEMENT OF THE U.S. SECURITIES AND
EXCHANGE COMMISSION

WHEREAS, the Township of West Orange (the "Governmental Entity") has entered into continuing disclosure agreement(s) in connection with certain of its prior bond and/or note issuance(s) (the "Prior Issuances"), agreeing to file certain financial information and operating data and/or certain enumerated event notices with the former nationally recognized municipal securities information repositories or the Municipal Securities Rulemaking Board (the "MSRB") pursuant to the provisions of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the "Rule"); and

WHEREAS, the Governmental Entity has made certain representations regarding its continuing disclosures in bond and note offering documents in connection with its Prior Issuances; and

WHEREAS, in response to widespread concerns that many municipal issuers have not been complying with their obligations to file continuing disclosure documents under the Rule, and furthermore have made false representations concerning compliance in bond and note offering documents, the Division of Enforcement (the "Division") of the U.S. Securities and Exchange Commission (the "Commission") has set forth its Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative"), attached hereto as Exhibit A, whereby the Commission will recommend favorable settlement terms to municipal issuers involved in the offer or sale of municipal securities, as well as underwriters of such offerings, if they self-report to the Division possible violations involving materially inaccurate statements in bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule; and

WHEREAS, pursuant the Local Finance Notice 2014-9, attached hereto as Exhibit B, the Director of the Local Finance Board, Division of Local Government Services of the Department of Community Affairs of the State of New Jersey, has recommended the undertaking of a Review (as hereinafter defined) by all municipal issuers and participation in the MCDC Initiative, where appropriate, as determined by the facts of each Review (the "LFB Recommendation");

NOW, THEREFORE, IN CONNECTION WITH THE LFB RECOMMENDATION, BE IT RESOLVED BY THE GOVERNMENTAL ENTITY, as follows:

Section 1. The Governmental Entity, through its Chief Financial Officer or through the engagement of a third-party disclosure-dissemination agent, is hereby directed to conduct a continuing disclosure review of its prior continuing disclosure undertakings (the "Review"), and the Governmental Entity hereby ratifies any such previously conducted Review. Such Review shall include, but is not limited to, a historical review of the Governmental Entity's continuing disclosure obligations and filings in connection with its Prior Issuances that are presently outstanding and which are no longer outstanding but, as of the date five years prior to the date of submission of the Questionnaire (as hereinafter defined),

were outstanding; and the undertaking, at any time, of any applicable remedial filings with the MSRB deemed necessary for compliance with its continuing disclosure obligations.

Section 2. The Governmental Entity, through its Chief Financial Officer, is hereby authorized to participate in the MCDC Initiative, if in the discretion of the Chief Financial Officer after consultation with Governmental Entity officials, it is determined that the Governmental Entity may have made materially inaccurate statements in its bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Prior Issuances issued during the period beginning five years prior to the date of submission of the Questionnaire.

Section 3. The Chief Financial Officer of the Governmental Entity is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative (the "Questionnaire"), and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Review, contemplated by this resolution.

Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective in accordance with applicable law.

RECORDED VOTE:

AYE

NO

ABSTAIN

ABSENT

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: August 12, 2014

EXHIBIT A

EXHIBIT B

July 25, 2014

John Gross
Chief Financial Officer
Township of West Orange
66 Main Street
West Orange NJ 07052

**Re: U.S. Securities and Exchange Commission's Municipalities
Continuing Disclosure Cooperation Initiative**

Dear John:

Please find attached a resolution for consideration by your governing body at its next regularly scheduled meeting in furtherance of the recommendations contained in the MCDC Initiative (as hereinafter defined) of the Division of Enforcement (the "Division") of the U.S. Securities and Exchange Commission (the "Commission") and in Local Finance Notice 2014-9, dated July 23, 2014 (the "LFB Notice"), of the Local Finance Board, Division of Local Government Services of the Department of Community Affairs of the State of New Jersey (the "LFB").

The Township of West Orange (the "Municipality") has entered into continuing disclosure agreement(s) in connection with certain of its prior bond and/or note issuance(s) (the "Prior Issuances"), agreeing to file certain financial information and operating data and/or certain enumerated event notices with the former nationally recognized municipal securities information repositories or the Municipal Securities Rulemaking Board (the "MSRB") pursuant to the provisions of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the "Rule"). In response to widespread concerns that many municipal issuers have not been complying with their obligations to file continuing disclosure documents under the Rule and have made false representations concerning compliance in bond and note offering documents, the Division of the Commission has set forth its Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative"), whereby the Commission will recommend favorable settlement terms (as outlined in the MCDC Initiative) to municipal issuers involved in the offer or sale of municipal securities, as well as underwriters of such offerings, if they self-report to the Division possible violations involving materially inaccurate statements in bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule. Moreover, pursuant to the LFB Notice, the Director of the LFB has recommended the undertaking of a continuing disclosure review of its prior continuing disclosure undertakings (the "Review") by all municipal issuers and participation in the MCDC Initiative, where appropriate, as determined by the facts of each Review.

The attached resolution will authorize you or a third-party disclosure-dissemination agent to undertake such a Review, which shall include, but will not be limited to, a historical review of the Municipality's continuing disclosure obligations and filings in connection with its Prior Issuances that are presently outstanding and which are no longer outstanding but, as of the date five years prior to the date of submission of the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative (the "Questionnaire"), were outstanding; and the undertaking, at any time, of any applicable remedial filings with the MSRB deemed necessary for compliance with its continuing disclosure obligations.

The attached resolution further authorizes your participation in the MCDC Initiative should the results of your Review reveal that the Municipality may have made materially inaccurate statements in its bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Prior Issuances issued during the period beginning five years prior to the date of submission of the Questionnaire. **Please note that the deadline for the submission of the Questionnaire to the Division, and thereby your participation in the MCDC Initiative, is 12:00 AM EST on September 10, 2014.**

I will contact you shortly to discuss any questions and/or concerns you may have about the enclosed resolution, MCDC Initiative, or LFB Notice.

Very truly yours,



John D. Draikiwicz, Esq.

JDD/cc

Enclosures

RESOLUTION OF THE TOWNSHIP OF WEST ORANGE
DIRECTING THE UNDERTAKING OF A CONTINUING
DISCLOSURE REVIEW AND AUTHORIZING PARTICIPATION IN
THE MUNICIPALITIES CONTINUING DISCLOSURE
COOPERATION INITIATIVE OF THE DIVISION OF
ENFORCEMENT OF THE U.S. SECURITIES AND EXCHANGE
COMMISSION

WHEREAS, the Township of West Orange (the "Governmental Entity") has entered into continuing disclosure agreement(s) in connection with certain of its prior bond and/or note issuance(s) (the "Prior Issuances"), agreeing to file certain financial information and operating data and/or certain enumerated event notices with the former nationally recognized municipal securities information repositories or the Municipal Securities Rulemaking Board (the "MSRB") pursuant to the provisions of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the "Rule"); and

WHEREAS, the Governmental Entity has made certain representations regarding its continuing disclosures in bond and note offering documents in connection with its Prior Issuances; and

WHEREAS, in response to widespread concerns that many municipal issuers have not been complying with their obligations to file continuing disclosure documents under the Rule, and furthermore have made false representations concerning compliance in bond and note offering documents, the Division of Enforcement (the "Division") of the U.S. Securities and Exchange Commission (the "Commission") has set forth its Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative"), attached hereto as Exhibit A, whereby the Commission will recommend favorable settlement terms to municipal issuers involved in the offer or sale of municipal securities, as well as underwriters of such offerings, if they self-report to the Division possible violations involving materially inaccurate statements in bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule; and

WHEREAS, pursuant the Local Finance Notice 2014-9, attached hereto as Exhibit B, the Director of the Local Finance Board, Division of Local Government Services of the Department of Community Affairs of the State of New Jersey, has recommended the undertaking of a Review (as hereinafter defined) by all municipal issuers and participation in the MCDC Initiative, where appropriate, as determined by the facts of each Review (the "LFB Recommendation");

NOW, THEREFORE, IN CONNECTION WITH THE LFB RECOMMENDATION, BE IT RESOLVED BY THE GOVERNMENTAL ENTITY, as follows:

Section 1. The Governmental Entity, through its Chief Financial Officer or through the engagement of a third-party disclosure-dissemination agent, is hereby directed to conduct a continuing disclosure review of its prior continuing disclosure undertakings (the "Review"), and

the Governmental Entity hereby ratifies any such previously conducted Review. Such Review shall include, but is not limited to, a historical review of the Governmental Entity's continuing disclosure obligations and filings in connection with its Prior Issuances that are presently outstanding and which are no longer outstanding but, as of the date five years prior to the date of submission of the Questionnaire (as hereinafter defined), were outstanding; and the undertaking, at any time, of any applicable remedial filings with the MSRB deemed necessary for compliance with its continuing disclosure obligations.

Section 2. The Governmental Entity, through its Chief Financial Officer, is hereby authorized to participate in the MCDC Initiative, if in the discretion of the Chief Financial Officer after consultation with Governmental Entity officials, it is determined that the Governmental Entity may have made materially inaccurate statements in its bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Prior Issuances issued during the period beginning five years prior to the date of submission of the Questionnaire.

Section 3. The Chief Financial Officer of the Governmental Entity is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative (the "Questionnaire"), and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Review, contemplated by this resolution.

Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective in accordance with applicable law.

RECORDED VOTE:

AYE

NO

ABSTAIN

ABSENT

EXHIBIT A

EXHIBIT B

EXHIBIT A



U.S. Securities and
Exchange Commission



Municipalities Continuing Disclosure Cooperation Initiative

Division of Enforcement

U.S. Securities and Exchange Commission

I. Introduction

The Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative") is intended to address potentially widespread violations of the federal securities laws by municipal issuers and underwriters of municipal securities in connection with certain representations about continuing disclosures in bond offering documents.

As described below, under the MCDC Initiative, the Division of Enforcement (the "Division") of the U.S. Securities and Exchange Commission (the "Commission") will recommend favorable settlement terms to issuers and obligated persons involved in the offer or sale of municipal securities (collectively, "issuers") as well as underwriters of such offerings if they self-report to the Division possible violations involving materially inaccurate statements relating to prior compliance with the continuing disclosure obligations specified in Rule 15c2-12 under the Securities Exchange Act of 1934 (the "Exchange Act").¹

II. Background

Rule 15c2-12 generally prohibits any underwriter from purchasing or selling municipal securities unless the issuer has committed to providing continuing disclosure regarding the security and issuer, including information about its financial condition and operating data.² Rule 15c2-12 also generally requires that any final official statement prepared in connection with a primary offering of municipal securities contain a description of any instances in the previous five years in which the issuer failed to comply, in all material respects, with any previous commitment to provide such continuing disclosure.

The Commission may file enforcement actions under either Section 17(a) of the Securities Act of 1933 (the "Securities Act"), and/or Section 10(b) of the Exchange Act against issuers for inaccurately stating in final official statements that they have substantially complied with their prior continuing disclosure obligations. In such instances, underwriters for these bond offerings may also have violated the anti-fraud provisions to the extent they failed to exercise adequate due diligence in determining whether issuers have complied with such obligations, and as a result, failed to form a reasonable basis for believing the truthfulness of a key representation in the issuer's official statement. For instance, on July 29, 2013, the Commission charged a school district in Indiana and its underwriter with falsely stating to bond investors that the school district had been properly providing annual financial information and notices required as part of its prior bond offerings.³ Without admitting or denying the Commission's findings, the school district and underwriter each consented to, among other things, an order to cease and desist from committing or causing any violations of Section 10(b) of the Exchange Act and Rule 10b-5. The underwriter also agreed to pay disgorgement and prejudgment interest of \$279,446 as well as a penalty of \$300,000.

The Commission has in the past emphasized that the likelihood that an issuer will abide by its continuing disclosure obligations is critical to any evaluation of its covenants. An underwriter's obligation to have a reasonable basis to believe that the key representations in a final official statement are true and accurate extends to an issuer's representations concerning past compliance with disclosure obligations. Indeed, this provision of Rule 15c2-12 was specifically intended to serve as an incentive for issuers to comply with their undertakings to provide disclosures in the secondary market for municipal securities, and also assists underwriters and others in assessing the reliability of the issuer's disclosure representations. Moreover, the Commission has in the past stated that it believes that it is doubtful that an underwriter could form a reasonable basis for relying on the accuracy or completeness of an issuer's ongoing disclosure representations without the underwriter affirmatively inquiring as to that filing history, and the underwriter may not rely solely on a written certification from an issuer that it has provided all filings or notices.⁴

Based on available information, and as highlighted in the Commission's August 2012 Municipal Market Report, there is significant concern that many issuers have not been complying with their obligation to file continuing disclosure documents and that federal securities law violations involving false statements concerning such compliance may be widespread.

III. The MCDC Initiative

A. Who Should Consider Self-Reporting to the Division?

Issuers who may have made materially inaccurate statements in a final official statement regarding their prior compliance with their continuing obligations as described in Rule 15c2-12 should consider self-reporting to the Division to take advantage of the MCDC Initiative.

Underwriters of offerings in which the final official statement contains materially inaccurate statements regarding an issuer's prior compliance with continuing disclosure obligations should also consider self-reporting under the MCDC Initiative. Such underwriters may include the lead underwriter in an underwriting syndicate of such offerings or the sole underwriter in such offerings, and includes both competitive and negotiated underwritings.

Issuers or underwriters that have already been contacted by the Division as of the date of this announcement regarding possible inaccurate statements as to past compliance with continuing disclosure obligations, but against whom no enforcement action has yet been taken, may be eligible for the MCDC Initiative and should contact the Enforcement staff to discuss eligibility.

B. When and What Must Issuers and Underwriters Self Report?

To be eligible for the MCDC Initiative, an issuer or underwriter must self-report by accurately completing the attached questionnaire and submitting it within the six month period beginning March 10, 2014 and ending at 12:00 a.m. EST on September 10, 2014. Information required by the questionnaire includes:

- identification and contact information of the self-reporting entity;
- information regarding the municipal securities offerings containing the potentially inaccurate statements;
- identities of the lead underwriter, municipal advisor, bond counsel, underwriter's counsel and disclosure counsel, if any, and the primary contact person at each entity, for each such offering;
- any facts that the self-reporting entity would like to provide to assist the staff in understanding the circumstances that may have led to the potentially inaccurate statement(s); and
- a statement that the self-reporting entity intends to consent to the applicable settlement terms under the MCDC Initiative.

Submissions may be made by email to MCDCsubmissions@sec.gov, by fax to (301) 847-4713 or by mail to MCDC Initiative, U.S. Securities and Exchange Commission, Boston Regional Office, 33 Arch Street, Boston, MA 02110.

C. Standardized Settlement Terms the Division Will Recommend

To the extent an entity meets the requirements of the MCDC Initiative and the Division decides to recommend enforcement action against the entity ("eligible issuer" or "eligible underwriter"), the Division will recommend that the Commission accept a settlement which includes the terms described below.⁵

1. Types of Proceedings and Nature of Charges

For eligible issuers, the Division will recommend that the Commission accept a settlement pursuant to which the issuer consents to the institution of a cease and desist proceeding under Section 8A of the Securities Act for violation(s) of Section 17(a)(2) of the Securities Act.⁶ The Division will recommend a settlement in which the issuer neither admits nor denies the findings of the Commission.

For eligible underwriters, the Division will recommend that the Commission accept a settlement pursuant to which the underwriter consents to the institution of a cease and desist proceeding under Section 8A of the Securities Act and administrative proceedings under Section 15(b) of the Exchange Act for violation(s) of Section 17(a)(2) of the Securities Act. The Division will recommend a settlement in which the underwriter neither admits nor denies the findings of the Commission.

2. Undertakings

For eligible issuers, the settlement to be recommended by the Division must include undertakings by the issuers. Specifically, as part of the settlement, the issuer must undertake to:

- establish appropriate policies and procedures and training regarding continuing disclosure obligations within 180 days of the institution of the proceedings;
- comply with existing continuing disclosure undertakings, including updating past delinquent filings within 180 days of the institution of the proceedings;
- cooperate with any subsequent investigation by the Division regarding the false statement(s), including the roles of individuals and/or other parties involved;
- disclose in a clear and conspicuous fashion the settlement terms in any final official statement for an offering by the issuer within five years of the date of institution of the proceedings; and
- provide the Commission staff with a compliance certification regarding the applicable undertakings by the issuer on the one year anniversary of the date of institution of the proceedings.

For eligible underwriters, the settlement to be recommended by the Division must include undertakings by the underwriters. Specifically, as part of the settlement, the underwriter must undertake to:

- retain an independent consultant, not unacceptable to the Commission staff, to conduct a compliance review and, within 180 days of the institution of proceedings, provide recommendations to the underwriter regarding the underwriter's municipal underwriting due diligence process and procedures;
- within 90 days of the independent consultant's recommendations, take reasonable steps to enact such recommendations; provided that the underwriter make seek approval from the Commission staff to not adopt recommendations that the underwriter can demonstrate to be unduly burdensome;
- cooperate with any subsequent investigation by the Division regarding the false statement(s), including the roles of individuals and/or other parties involved; and

- provide the Commission staff with a compliance certifications regarding the applicable undertakings by the Underwriter on the one year anniversary of the date of institution of the proceedings.

3. Civil Penalties

For eligible issuers, the Division will recommend that the Commission accept a settlement in which there is no payment of any civil penalty by the issuer.

For eligible underwriters, the Division will recommend that the Commission accept a settlement in which the underwriter consents to an order requiring payment of a civil penalty as described below:

- For offerings of \$30 million or less, the underwriter will be required to pay a civil penalty of \$20,000 per offering containing a materially false statement;
- For offerings of more than \$30 million, the underwriter will be required to pay a civil penalty of \$60,000 per offering containing a materially false statement;
- However, no underwriter will be required to pay more than \$500,000 total in civil penalties under the MCDC Initiative.

D. No Assurances Offered with Respect to Individual Liability

The MCDC Initiative covers only eligible issuers and underwriters. The Division provides no assurance that individuals associated with those entities, such as municipal officials and employees of underwriting firms, will be offered similar terms if they have engaged in violations of the federal securities laws. The Division may recommend enforcement action against such individuals and may seek remedies beyond those available through the MCDC Initiative. Assessing whether to recommend enforcement action against an individual for violations of the federal securities laws necessarily involves a case-by-case assessment of specific facts and circumstances, including evidence regarding the level of intent and other factors such as cooperation by the individual.

E. No Assurances for Entities That Do Not Take Advantage of MCDC Initiative

For issuers and underwriters that would be eligible for the terms of the MCDC initiative but that do not self-report pursuant to the terms of the MCDC Initiative, the Division offers no assurances that it will recommend the above terms in any subsequent enforcement recommendation. As noted above, assessing whether to recommend enforcement action necessarily involves a case-by-case assessment of specific facts and circumstances, but entities are cautioned that enforcement actions outside of the MCDC initiative could result in the Division or the Commission seeking remedies beyond those described in the Initiative. For issuers, the Division will likely recommend and seek financial sanctions. For underwriters, the Division will likely recommend and seek financial sanctions in amounts greater than those available pursuant to the MCDC Initiative.

Questions regarding the MCDC Initiative may be directed to MCDCinquiries@sec.gov.

¹ Recommendations by the Division to the Commission are subject to approval by the Commission.

² The issuers' agreement to make such disclosures is memorialized in a written undertaking frequently called a Continuing Disclosure Agreement. The Continuing Disclosure Agreement requires that issuer to file annual financial information and notices of certain material events with the Electronic Municipal Market Access, or EMMA, an electronic information repository system maintained by the Municipal Securities Rulemaking Board (MSRB), which is accessible to all investors on the internet.

³ *In the Matter of West Clark Community Schools*, AP File No. 3-15391 (July 29, 2013); *In the Matter of City Securities Corporation and Randy G. Ruhl*, AP File No. 3-15390 (July 29, 2013).

⁴ See "Municipal Securities Disclosure," Securities Exchange Act Release No. 34961 (November 10, 1994), 59 FR 59590, *supra* notes 50-54 (November 17, 1994). See also "Amendments to Municipal Securities Disclosure," Securities Exchange Act Release No. 34-62184A (May 26, 2010), 75 FR 331100, *supra* n. 348-362 (June 10, 2010).

⁵ The standardized settlement terms of the MCDC Initiative are only applicable to inaccurate statements concerning compliance with continuing disclosure obligations. The MCDC Initiative and the standardized settlement terms are not applicable to other material misstatements in final official statements or related communications or other misconduct. Any other potential misconduct is subject to investigation and separate enforcement action, if appropriate. If enforcement action is taken, entities may be subject to additional remedies for that misconduct, including additional financial sanctions.

⁶ Violations of Section 17(a)(2) require a finding of negligent conduct.

Modified: March 10, 2014



**U.S. SECURITIES AND EXCHANGE COMMISSION
DIVISION OF ENFORCEMENT**

**MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE
QUESTIONNAIRE FOR SELF-REPORTING ENTITIES**

NOTE: The information being requested in this Questionnaire is subject to the Commission's routine uses. A list of those uses is contained in SEC Form 1662, which also contains other important information.

1. Please provide the official name of the entity that is self-reporting ("Self-Reporting Entity") pursuant to the MCDC Initiative along with contact information for the Self-Reporting Entity:

Individual Contact Name:
Individual Contact Title:
Individual Contact telephone:
Individual Contact Fax number:
Individual Contact email address:

Full Legal Name of Self-Reporting Entity:
Mailing Address (number and street):
Mailing Address (city):
Mailing Address (state): Select a state...
Mailing Address (zip):

2. Please identify the municipal bond offering(s) (including name of Issuer and/or Obligor, date of offering and CUSIP number) with Official Statements that may contain a materially inaccurate certification on compliance regarding prior continuing disclosure obligations (for each additional offering, attach an additional sheet or separate schedule):

State: Select a state...
Full Name of Issuing Entity:
Full Legal Name of Obligor (if any):
Full Name of Security Issue:
Initial Principal Amount of Bond Issuance:
Date of Offering:
Date of final Official Statement (format MMDDYYYY):
Nine Character CUSIP number of last maturity:

3. Please describe the role of the Self-Reporting Entity in connection with the municipal bond offerings identified in Item 2 above (select Issuer, Obligor or Underwriter):
- ☐ Issuer
 - ☐ Obligor
 - ☐ Underwriter
4. Please identify the lead underwriter, municipal advisor, bond counsel, underwriter's counsel and disclosure counsel, if any, and the primary contact person at each entity, for each offering identified in Item 2 above (attach additional sheets if necessary):
- Senior Managing Underwriting Firm:
Primary Individual Contact at Underwriter:
- Financial Advisor:
Primary Individual Contact at Financial Advisor:
- Bond Counsel Firm:
Primary Individual Contact at Bond Counsel:
- Law Firm Serving as Underwriter's Counsel:
Primary Individual Contact at Underwriter's Counsel:
- Law Firm Serving as Disclosure Counsel:
Primary Individual Contact at Disclosure Counsel:
5. Please include any facts that the Self-Reporting Entity would like to provide to assist the staff of the Division of Enforcement in understanding the circumstances that may have led to the potentially inaccurate statements (attach additional sheets if necessary):

On behalf of [Name of Self-Reporting Entity]
I hereby certify that the Self-Reporting Entity intends to consent to the applicable
settlement terms under the MCDC Initiative.

By: _____

Name of Duly Authorized Signer:

Title:

EXHIBIT B

LFN 2014-9

July 23, 2014

Local Finance Notice

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Richard E. Constable, III
Commissioner

Thomas H. Neff
Director

Contact Information

Director's Office
V. 609.292.6613
F. 609.292.9073

Local Government Research
V. 609.292.6110
F. 609.292.9073

**Financial Regulation
and Assistance**
V. 609.292.4806
F. 609.984.7388

Local Finance Board
V. 609.292.0479
F. 609.633.6243

Local Management Services
V. 609.292.7842
F. 609.633.6243

Authority Regulation
V. 609.984.0132
F. 609.984.7388

Mail and Delivery
101 South Broad St.
PO Box 803
Trenton, New Jersey
08625-0803

Web:
www.nj.gov/divisions/dca/dlgs
E-mail: dlgs@dca.state.nj.us

Distribution

Chief Financial Officers
Municipal Clerks
Finance Board Clerks
Authority Clerks
Auditors

Secondary Bond Market Continuing Disclosure Commitments

This Notice is intended to give fair warning to local government officials, including Certified Municipal Finance Officers and comparable staff of authorities and other local governments, that there will be consequences for failing to have identified past noncompliance (where applicable) with continuing financial disclosure requirements related to outstanding bonds and other securities and determining by September 10, 2014 whether to take advantage of a compliance initiative offered by the Securities Exchange Commission's (SEC). While this notice is important for all local governments that have outstanding bonds, bond anticipation notes, and other securities, it is critically important where local governments anticipate a need to access financial markets in the near future - as with the need to "roll over" Bond Anticipation Notes or to issue bonds.

Continuing disclosure requirements are indirectly required pursuant to federal law. The CFO, or another local official, was generally required in one or more documents authorizing the issuance of debt (commonly called "Continuing Disclosure Agreements") to annually, or more frequently, publicly disclose certain information. Consequences of failing to live up to requirements will likely include future difficulty accessing credit markets. Consequences could include, among other things: (1) enforcement actions being brought by the SEC that will result in more severe penalties otherwise available pursuant to "the SEC's "Municipalities Continuing Disclosure Cooperation Initiative" (see below for discussion); (2) denial or deferral of applications made to the Local Finance Board or Director of the Division for various approvals; (3) actions against State licensures in the event of fraudulent attestations of compliance; and/or (4) decreased scores on future "Best Practices Questionnaires" (which will contain questions as to past compliance) that could trigger a withholding of a portion of State Aid.

It is important that you read this notice in its entirety and consult your public finance professionals so you understand your continuing disclosure obligations and what must be done to achieve compliance.

Local government access to capital is critical for advancing needed local infrastructure projects and meeting local cash flow needs. As a condition of providing access to capital in the form of debt, the financial community - at the time of buying debt and while debt remains outstanding - expects to be kept abreast of key financial information that could impact the value of securities in the secondary market. Legally, local governments have an obligation to provide certain information. They are obligated under federal law to issue certain information at the time of issuing new debt, and they are frequently contractually obligated to continue providing certain information while their debt remains outstanding.

Recently, the SEC and the financial community have focused attention on what is alleged to be a widespread failure of local government issuers across the nation to meet their continuing disclosure obligations. They maintain that local government issuers of debt frequently fail to meet their continuing disclosure obligations and misrepresent (sometimes innocently or inadvertently and other times fraudulently) their past compliance when issuing new debt.

Earlier this year, the SEC adopted a program to encourage local government issuers to self-identify past noncompliance and improve timely continuing disclosure in the future. Their program, known as the "Municipalities Continuing Disclosure Cooperation Initiative" essentially establishes lesser enforcement actions provided local government issuers (and others) self-identify past noncompliance and agree to a plan designed to prevent future noncompliance. You can read more about this program by visiting: <http://www.sec.gov/divisions/enforce/municipalities-continuing-disclosure-cooperation-initiative.shtml>). It is strongly recommended that local government officials proactively take steps to self-identify their own levels of compliance with Continuing Disclosure Agreements if they have outstanding debt and consult their public finance officials during this process to, among other things, determine if it is advisable to participate in the SEC's program.

The private marketplace is also taking steps to improve disclosure by more closely reviewing past compliance and, as appropriate, refraining from underwriting or buying new debt unless compliance has been achieved. It is critically important that local governments anticipating a need to access financial markets conduct a self-assessment of past continuing disclosure compliance and correct deficiencies. Failure to do so could bar, or delay, access to capital markets.

As part of your self-assessment, it is recommended that you first identify your continuing disclosure contractual obligations with respect to past issuances of debt while it remained (or remains) outstanding. These obligations generally include filing audits, budgets, and certain operating data with various depositories.

Continuing Disclosure Agreements generally specify what information must be filed and where it must be filed. It is critically important that each local government understand the commitments it has made and live up to them. However, the Division recommends, as a best practice, that local governments with continuing disclosure requirements file the following information through the Municipal Securities Rulemaking Board's Electronic Municipal Marketplace Access (EMMA) website (www.emma.msrb.org) in addition to any information they had previously agreed to provide:

- a) As soon as available: The issuer's Annual Financial Statement -- or a variation thereof where an Annual Financial Statement is not statutorily required; and
- b) As soon as available: The Issuer's Audited Financial Statements; and
- c) As soon as available: The Issuer's adopted budgets; and
- d) Within 180 days of the end of the fiscal year: Annual Operating Data, consisting of:
 - (i) Debt Statistics
 - (ii) Property Tax Information and tax statistics where the issuer relies on property tax collections as a major source of revenue;
 - Net Assessed Valuation
 - Real Property Classifications
 - Ratio of Assessed Valuation to True Value
 - Percentage of Collection
 - Delinquent Tax and Tax Title Lien Information
 - Property Acquired By Tax Title Lien Liquidation
 - Tax Rates
 - Tax Levies
 - Largest Taxpayers
 - (iii) Other major revenue data and statistics where the issuer relies on revenues other than property tax collections;
 - Sewer and water billings;
 - Parking rents and collections;
 - Etc.
 - (iv) Capital Budget
 - (v) New Construction Permits
- e) Within 10 business days of the occurrence of any material events consisting of the following:
 - (i) Principal and interest payment delinquencies;
 - (ii) Non-payment related defaults, if material;
 - (iii) Unscheduled draws on debt service reserves reflecting financial difficulties;
 - (iv) Unscheduled draws on credit enhancements reflecting financial difficulties;
 - (v) Substitution of credit or liquidity providers, or their failure to perform;
 - (vi) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
 - (vii) Modifications to rights of security holders, if material;
 - (viii) Bond calls, if material, and tender offers;
 - (ix) Defeasances;
 - (x) Release, substitution, or sale of property securing repayment of the Securities, if material;
 - (xi) Rating changes;

- (xii) Bankruptcy, insolvency, receivership or similar event of the obligated person;
 - (xiii) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
 - (xiv) Appointment of a successor or additional trustee or the change of name of a trustee, if material.
- f) Any and all additional or other information or documents required by the specific continuing disclosure obligations of such Issuer, for any particular series of Securities outstanding.

You should also ensure that past official statements -- or similar documents issued with respect to new issuances of debt -- have accurately reported your past compliance with continuing disclosure requirements.

While not required, the Chief Financial Officer is encouraged to seek the assistance of an experienced professional to assist or undertake such self-assessment.

As a final matter, the Division will be drafting a proposed Local Finance Notice -- or other appropriate action -- to require: (1) CFOs to attest as part of budget submissions to the Division that appropriate steps are being taken to ensure compliance with continuing disclosure requirements; and (2) auditors to treat non-compliance with continuing disclosure requirements as an instance of non-compliance with prevailing laws, statutes, regulations, contracts and agreements that is required to be reported under *Government Auditing Standards*.

Approved: Thomas H. Neff, Director

**Resolution Requesting Approval of Items of Revenue and Appropriation
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government

Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was

not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Orange in the County of Essex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$5,000.00, which is now available as a revenue from FY2014 Drive Sober or Get Pulled Over Labor Day Crackdown Grant, pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption FY2014 Drive Sober or Get Pulled Over Labor Day Crackdown Grant; and

BE IT FURTHER RESOLVED that the above is a result of a State grant of \$5,000.00 from FY2014 Drive Sober or Get Pulled Over Labor Day Crackdown Grant.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: August 12, 2014

Resolution
Supporting the Drive Sober or Get Pulled Over
2014 Statewide Crackdown

Whereas, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

Whereas, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the ***Drive Sober or Get Pulled Over 2014 Statewide Crackdown***; and

Whereas, the project will involve increased impaired driving enforcement from August 15 through September 1, 2014; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be it resolved that the TOWNSHIP OF WEST ORANGE declares its support for the ***Drive Sober or Get Pulled Over 2014 Statewide Crackdown*** from August 15 through September 1, 2014 and pledges to increase awareness of the dangers of drinking and driving.

Karen J. Carnevale, Municipal Clerk

Susan McCartney, Council President

Adopted: August 12, 2014

RESOLUTION-REVISED

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

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

<u>Organization</u>	<u>Date of Event</u>	<u>Place</u>	<u>RL #</u>
OLOL Off Premise 50/50	11.16.14	1 Eagle Rock Ave.	7107
St. Josephs Church Calendar Raffle	January – December 2015-Monthly	44 Benvenue Ave.	7108
YMCA Montclair Tricky Tray	11.1.14	481 Eagle Rock Ave.	7109
Sisters of Charity of Saint Elizabeth (Josephine's Place) Off Premise 50/50	11.13.14	481 Eagle Rock Ave.	7110
Raffle Application to follow			7111
Raffle Application to follow			7112
Franciscan Charities, Inc. On Premise 50/50	9.29.14	350 Mt. Pleasant Ave.	7113

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: August 12, 2014

RESOLUTION

WHEREAS, the Township of West Orange Housing Rehabilitation Program has a mortgage against certain real property owned by Cristian Pena and Belkis Pena (the "Owners") residing at 283 Saint Cloud Avenue, Block 168, Lot 10.02 (the "Property"), in the amount of Fifteen Thousand Dollars (\$15,000.00), which was dated January 11, 2013 and recorded in the Essex County Register's Office on May 24, 2013 in Book 12347, Page 611 (the "WOHRP Mortgage"); and

WHEREAS, there is a first mortgage on the Property from Wells Fargo Home Mortgage Corporation ("Wells Fargo") in the outstanding amount of One Hundred and Ninety-Nine Thousand, One Hundred and Five Dollars and Eight Cents (\$199,105.08) (the "First Mortgage"); and

WHEREAS, the Owners desires to refinance their home and obtain a new mortgage loan from Wells Fargo in an amount not to exceed Two Hundred and Two Thousand, Two Hundred and Eighty-Six Dollars and Thirty-Two Cents (\$202,286.32), and with an interest rate of 4.25% (the "New Mortgage"); and

WHEREAS, the New Mortgage will pay off the First Mortgage; and

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

WHEREAS, in connection with the New Mortgage, Wells Fargo has accepted that the fair market value of the Property is approximately Three-Hundred and Eighty-Eight Thousand Dollars (\$388,000.00) based on the ad valorem tax information upon which taxes have been assessed; and

WHEREAS, based on the amount of the New Mortgage and the appraisal accepted by Wells Fargo, 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 Wells Fargo with respect to the Property and the Owners; 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, Municipal Clerk

Susan McCartney, Council President

Adopted: August 12, 2014

ATTACHMENT “A”

EIGHTH AMENDMENT TO THE AGREEMENT

BETWEEN

**NEW JERSEY MEDICAL SCHOOL GLOBAL TUBERCULOSIS INSTITUTE @
RUTGERS BIOMEDICAL AND HEALTH SCIENCES (RBHS)**

and

TOWNSHIP OF WEST ORANGE

THIS EIGHTH AMENDMENT to the agreement dated 4/1/2005 between the New Jersey Medical School Global Tuberculosis Institute @ Rutgers Biomedical and Health Sciences ("Service Provider Agency") having its principal offices at 225 Warren Street, Newark, County of ESSEX, State of New Jersey (hereinafter known as "Medical School") and the TOWNSHIP OF WEST ORANGE [Health Department] a municipal corporation of the State of New Jersey having its principal offices at 66 Main Street, West Orange, County of Essex, State of New Jersey (hereinafter known as the "Township"). The NJMS Global Tuberculosis Institute is to provide medical consultation services in connection with the Tuberculosis Prevention and Control Program entered into this 1st day of January 2014.

WHEREAS, it is in the best interest of the Township to extend the terms of the agreement with the Medical School for the period January 1, 2014 through December 31, 2014.

1. NJMS hereby directs the payments for its services under this Agreement to be rendered as follows: checks shall be made payable to: NJMS Global Tuberculosis Institute, Rutgers, The State University of NJ, 225 Warren Street, 2nd Fl, East Wing, Newark, NJ 07107. Attention: Eileen Napolitano, Deputy Director.

2. **COMPLIANCE STATEMENT.**

- A. Each party certifies that it shall not violate the federal anti-kickback statute, set forth at 42 U.S.C. §1320a-7b (b) ("Anti-Kickback Statute"), or the federal prohibition against physician self-referrals, set forth at 42 U.S.C. § 1395nn ("Stark Law"), with respect to the performance of its obligations under this Professional Services Agreement.

- B. The County of Essex acknowledges that it has reviewed RBHS's Code of Conduct and RBHS's Stark Law and Anti-Kickback Statute Policies and Procedures. RBHS's Code of Conduct is available at:

<http://rbhs.rutgers.edu/complweb/code/conduct.pdf>. RBHS's Stark Law and Anti-Kickback Statute Policies and Procedures are available at the following web addresses: <http://policies.rutgers.edu/10021-currentpdf>; <http://policies.rutgers.edu/10024-currentpdf>; and, <http://policies.rutgers.edu/10023-currentpdf>.

- C. Each party shall ensure that its individuals providing service under this Professional Services Agreement who meet the definition of "Covered Person," as such term is defined in the "Corporate Integrity Agreement between the Office of Inspector General of the Department of Health and Human Services ("OIG") and the University of Medicine and Dentistry of New Jersey" dated September 25, 2009, as amended by a letter agreement dated May 1, 2013 between the OIG and Rutgers, available at:

https://ethics.umdni.edu/mtrxprod/documents/CIA_agree_RU_UMDNJ.pdf shall comply with RBHS's Compliance Program, including the training related to the Anti-Kickback Statute and the Stark Law.

3. Article 2 of the Agreement is hereby modified by adding the following new sentence:

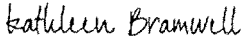
The Township agrees to pay the Medical School a sum of \$4,752.00 (\$4,320 x 10% Indirect Cost) for services rendered in 2014. The medical School will submit monthly invoices in the amount of \$360.00 per month (\$120.00 per hour x 3 hours) beginning January 1, 2014, and be paid upon receipt of invoice."

4. Notwithstanding anything stated in this Agreement to the contrary, any and all right, title and interest of the former University of Medicine and Dentistry of New Jersey ("UMDNJ") in and to the terms and conditions in this Agreement were automatically transferred to Rutgers University as UMDNJ's successor-in-interest by operation of law. The transfer occurred without further action and/or consent of the parties to the Agreement.

Township of West Orange
EIGHTH AMENDMENT
Page 3 of 3

IN **WITNESS WHEREOF**, the parties hereto have caused this agreement to be signed and attested to by their respective officers and affixed with their corporate seals on the day set forth above.

RUTGERS, THE STATE UNIVERSITY
OF NEW JERSEY

DocuSigned by:

D171406BE4A2458...

Kathleen Bramwell
Senior Vice Chancellor of Finance
& Administration
Rutgers Biomedical and Health Sciences

TOWNSHIP OF WEST ORANGE

Karen J. Carnevale, RMC
Clerk

Robert Parisi, Mayor

ATTACHMENT “B”



Agreement Between New Jersey Medical School
National Tuberculosis Center
University of Medicine and Dentistry of New Jersey
and
Township of West Orange

The Agreement, made this 1st day of April, 2005 between the New Jersey Medical School National Tuberculosis Center at the University of Medicine and Dentistry of New Jersey, having its principal offices at 225 Warren Street, Newark, County of ESSEX, State of New Jersey (hereinafter known as "Medical School") and the TOWNSHIP OF WEST ORANGE [Health Department] a municipal corporation of the State of New Jersey having its principal offices at 66 Main Street, West Orange, County of Essex, State of New Jersey (hereinafter known as the "Township").

WITNESSETH

WHEREAS, pursuant to N.J.S.A. 40A:11-5(2), any contract or agreement, may be entered into with, inter alia, the State or agency thereof, without public advertising for bids; and

WHEREAS, the Township provides tuberculosis prevention and control services; and

WHEREAS, it is in the best interest of the Township to enter into agreement with the Medical School for the provision of medical consultation services in connection with the Tuberculosis Prevention and Control Program for the period April 1, 2005 through December 31, 2006.

WHEREAS, an Agreement is necessary to set forth the terms under which the Township will receive said services;

NOW, THEREFORE, the parties hereto do mutually promise, covenant and agree as follows:

1. The Township shall be responsible for the following:
 - a. administration and operation of Tuberculosis Prevention and Control services a minimum of 20 hours per week, Monday through Friday; clinical services up to 3 hours per month in accordance with NJDHSS Tuberculosis Care Standards

- b. provision of physical plant for TB Clinic which shall include office space, examination and treatment rooms, and patient waiting area in accordance with "CDC Guidelines for Preventing the Transmission of Mycobacterium Tuberculosis in Health Care Facilities 1994"
- c. provision of dedicated Registered Nurse, community outreach and clerical support
- d. provision of radiology and laboratory services for chest x-ray, CBC, SMA-20 and bacteriology, on site or in close geographic proximity to the clinic
- e. provision of office and medical supplies necessary for the operation of the program
- f. The Township agrees to pay the Medical School \$270 per month for an annual rate of \$3,240; The Medical School will submit bi-annual invoices, and be paid upon receipt of invoice.

2. The Medical School shall provide the following:

- a. physician services 3 hours per month
- b. medical consultation by telephone during the hours of operation of the program
- c. TB program consultation to include nursing, outreach, epidemiologic investigations and resource utilization and allocation
- d. training for program staff through NJMS National TB Center training program courses
- e. consultation in the development of TB control protocol, standards and procedures of operation for use by West Orange Township in the administration of their TB Control program
- f. consultation in the development of TB Clinic policy and procedure manual including standing orders for designated patient categories, i.e., TB case, TB suspect, TB contact, TB reactor for use by Township in the administration of their TB control program

- g. the Medical School shall ensure that the staff is available to answer questions of those people who utilize or intend to utilize the TB Prevention and Control services, that the staff is available to answer post visit phone calls received at (973) 972-3270 during normal business hours.

3. The Township is self insured for general liability and professional liability insurance coverage pursuant to N.J.S.A. 40A:10-1 ET SEQ. The Township shall provide two (2) certificates of such insurance to the University upon request.

4. The Medical School shall provide for professional and general liability coverage insuring the University and its faculty, students and employees performing activities under this agreement through a Program of Self-Insurance with limits of coverage of \$1,000,000/\$3,000,000 on an occurrence type basis pursuant to N.J.S.A. 59:1-1, et seq. the State of New Jersey Tort Claims Act. The University, upon request, shall furnish the Township with documentation certifying the funding mechanism of said Program.

5. The Township shall obtain and will maintain all appropriate licenses for the lawful operation of the facility.

6. The Township and Medical School agree to provide the aforesaid services without regard to the race, religion or national origin of the recipients or their families.

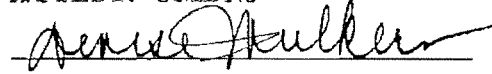
7. If either party fails to perform in accordance with the requirements set forth in this agreement, and, after written notification of default, fails to remedy said deficiencies within 10 days of notification, either party can terminate this agreement within 60 days.

9. This agreement shall be effective for the period April 1, 2005 through December 31, 2006.



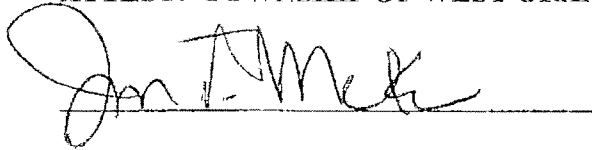
IN WITNESS WHEREOF, the parties hereto have caused this agreement to be signed and attested to by their respective officers and affixed with their corporate seals on the day set forth above.

ATTEST: UMDNJ

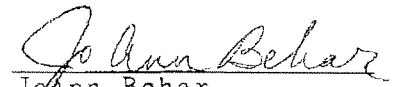
A handwritten signature in cursive script, appearing to read "Denise Mulkern", written over a horizontal line.

Denise Mulkern, Senior Vice President
Administration and Finance

ATTEST: TOWNSHIP OF WEST ORANGE

A handwritten signature in cursive script, appearing to read "Jim T. Meltzer", written over a horizontal line.

ATTEST:

A handwritten signature in cursive script, appearing to read "Joann Behar", written over a horizontal line.
Joann Behar
Deputy Clerk

RESOLUTION

WHEREAS, The Township of West Orange (the "Township") wishes to extend the agreement with the New Jersey Medical School (NJMS) Global Tuberculosis Institute at Rutgers to provide TB Physician and Medical Consultation Services to the Township Health Department for an additional one year term beginning January 1, 2014 and terminating December 31, 2014; and

WHEREAS, this Eighth Amendment to the original agreement dated April 1, 2005 between UMDNJ and the Township will allow the NJMS Global Tuberculosis Institute to continue to provide medical consultation services in connection with the Tuberculosis Prevention and Control Program as mandated by the State Department of Health; and

WHEREAS, it is in the best interest of the Township to extend the terms of the agreement with NJMS for the period of January 1, 2014 through December 31, 2014 to meet state mandated services for Tuberculosis;

WHEREAS, annexed hereto as Attachment "A" is a copy of the proposed Eighth Amendment to the Agreement, and annexed hereto as Attachment "B" is the original Agreement, which collectively set forth the terms under which the Township will receive and pay for said services;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange, County of Essex and State of New Jersey, that the Mayor and Township Clerk are authorized to execute and attest to, respectively, the Eighth Amendment to the agreement with the New Jersey Medical School Global Tuberculosis Institute at Rutgers, for the period between January 1, 2014 and December 31, 2014 at the annual rate of \$4,752.00 contingent upon the availability of funds to be appropriated in the 2014 Municipal Budget; and

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

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Adopted: August 12, 2014

I hereby certify funds available: 01-2010-00-8632-210 - \$1,500
01-2010-00-8752-200 - \$2,800
12-6190-00-0220-020 - \$452

John O. Gross, CFO

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) desires to offer voluntary insurance benefits to its full-time employees through a payroll deduction; and

WHEREAS, MetLife has offered to undertake a voluntary employee enrollment process during which the Township’s full-time employees will be provided with information explaining available benefits packages and offered the opportunity to enroll; and

WHEREAS, the Township desires to enter into an agreement with MetLife (the “Agreement”), a copy of which is annexed hereto as **Exhibit “A,”** whereby the Township shall agree to provide MetLife with access to its full-time employees in order to facilitate the aforementioned enrollment process; and

THEREFORE, IT IS HEREBY RESOLVED, that the Township Council authorizes the Mayor to execute the attached Agreement; and

BE IT FURHTER RESOLVED that a copy of this Resolution and supporting documentation remain on file with the Municipal Clerk for inspection by the public.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: August 12, 2014

EXHIBIT A

EXHIBIT A



July 31, 2014

Jack Sayers
Business Administrator
The Township of West Orange
66 Main St.
West Orange, NJ 07052

Re: Conditions Of Voluntary Benefit Offering

MetLife is pleased to offer the following voluntary benefits to your employees under the terms outlined below.

Voluntary products being offered:

1. Trustmark Universal Life Events Insurance
2. Trustmark Accident Insurance
3. Trustmark Critical Illness with Cancer
4. Trustmark Disability Income

Benefit Offer Assumptions:

- ☐ Full-time benefit eligible employees 300 approx. Part-time benefit eligible employees working 20+ hours: not eligible.
- ☐ "You agree to a structured enrollment process that will include a comprehensive employee marketing and communication strategy to be undertaken exclusively by Metlife, and you support departmental group meetings as well as one-on-one employee enrollment sessions."
- ☐ "You agree to provide MetLife Benefit Counselors with reasonable access to all benefit eligible employees on your business premises during regular working hours for the purpose of explaining the benefits being offered."
- ☐ "You agree to provide relevant information that would be required for MetLife to successfully enroll and administer the benefits being offered, including but not limited to current census information, with the exception that no information regarding any individual employee shall be transmitted absent written consent by such employee."

Accepted and Approved For Employer:

By: _____
(Printed Name)

(Signature)

(Date)



Compensation Disclosure Notice

MetLife and its affiliated insurance companies and broker-dealers are committed to helping you select an appropriate product based on your financial needs and stated investment objectives. Your MetLife sales representative ("Representative") is an employee of a MetLife Company, or associated with MetLife's New England Financial® distribution channel. Your Representative is authorized to offer and sell products to you that are either issued or distributed by Metropolitan Life Insurance Company or certain of MetLife's affiliated insurance companies, or offered through one of MetLife's affiliated entities that is registered as a broker-dealer with whom you have an account relationship (each, a "MetLife Company" and, together, the "MetLife Companies").* Products from the MetLife Companies include fixed life insurance and annuities, property, casualty, and health insurance, variable annuities, and variable life insurance ("MetLife Products"). Your Representative also may be authorized to offer you certain products, including insurance, annuities, and mutual funds, issued by companies other than the MetLife Companies ("non-MetLife products"). Your Representative acts on behalf of the MetLife Companies in connection with the offer and sale of MetLife Products to you. He or she acts on behalf of a company other than MetLife in connection with the sale of non-MetLife products. Your Representative also may service your mutual funds, securities or insurance products on behalf of the company issuing the product. Your Representative is compensated by a MetLife Company for sale, renewal and servicing of MetLife Products and certain authorized non-MetLife products. This compensation includes base commissions and other forms of compensation that may vary from product to product and by the amount of the purchase payment made by you. You should be aware that the amount of his or her compensation may increase in part based upon the relative amount of MetLife Products and certain non-MetLife products that he or she sells during a set period. He or she also is eligible for additional cash compensation (such as medical, retirement and other benefits) and non-cash compensation (such as conferences and sales support services) based on his or her sales of MetLife Products, certain authorized non-MetLife products, and overall sales and productivity. Your Representative may also receive compensation for the sale, renewal and servicing of authorized non-MetLife products directly from the issuing company. In some instances, MetLife Companies may also pay for expenses incurred by Representatives in connection with events for clients and prospects, training and education opportunities, and other miscellaneous expenses. MetLife receives compensation for non-MetLife Products sold by your Representative. This compensation will vary based upon an agreement between a MetLife Company and the issuing company

and may include a bonus feature or a marketing allowance, which may be used in some instances to offset expenses associated with conducting due diligence on the company and its products, and hosting training and education, or recognition, conferences. Additionally, sales management is compensated for MetLife Products and approved non-MetLife Products that are sold by your Representative through MetLife. Generally, this compensation is aligned with that of your Representative, as noted above. The services provided by your Representative may include: Discussing your current financial condition, goals and objectives; Gathering relevant financial information; Analyzing your financial situation (including among other things your needs, goals, risk tolerance, investment experience and time horizon) in order to determine appropriate strategies and recommendations of suitable investment or insurance products; Making recommendations regarding asset allocation; Making recommendations involving investment repositioning; Implementing these recommendations; and Reviewing your progress against your financial goals and objectives. These services are **not** investment advisory or financial planning services subject to the Investment Advisors Act of 1940. If you are interested in such services, ask your Representative. Either your Representative or another MetLife or New England Financial Representative may be able to provide investment advisory or financial planning services. Before receiving those services, however, you will be provided with an additional disclosure and enter into a separate written agreement regarding those services as required by the Investment Advisors Act of 1940. In addition to your Representative, certain independent brokers and agents sell products through an association with a MetLife or New England Financial sales office. They are compensated by a MetLife Company for the sale, renewal and servicing of MetLife Products. Those brokers and agents may receive increased compensation based upon the amount of MetLife Products sold during a set period. If you purchased your MetLife Product through the MetLife Auto & Home Group Insurance Program we may also pay an agent or broker representing the employer/organization participating in the Group Insurance Program for the sale and renewal of MetLife Products. We may also pay your employer or association or a third party acting on their or our behalf for the administration and service they provide related to the Group Insurance Program. Administration and services may include payroll administration.

* The following are the MetLife Companies whose products your Representative may be authorized to sell: Metropolitan Life Insurance Company, Metropolitan Property and Casualty Insurance Company, Metropolitan Casualty Insurance Company, Metropolitan General Insurance Company, Metropolitan Direct Property and Casualty Insurance Company, Metropolitan Group Property and Casualty Insurance Company, Metropolitan Lloyds Insurance Company of Texas, Economy Fire & Casualty Company, Economy Preferred Insurance Company, Economy Premier Assurance Company, First MetLife Investors Insurance Company, MetLife Investors USA Insurance Company, MetLife Investors Insurance Company, MetLife Insurance Company of Connecticut, New England Life Insurance Company, General American Life Insurance Company, MetLife Securities, Inc., and New England Securities Corporation. For more information, please refer to www.metlife.com. "New England Financial" is a registered service mark of New England Life Insurance Company.

RESOLUTION

WHEREAS, the Township of West Orange retained Shirley M. Bishop, P.P., LLC (“Bishop”) as a

housing and planning consultant in order to assist the Township with its obligations under the

rules and regulations of the Council of Affordable Housing (“COAH”); and

WHEREAS, the Township is now in the process of preparing its third round Housing Element

and Fair Share Plan; and

WHEREAS, Bishop has provided a proposal and budget indicating that the engagement for

Providing the above services shall be at a rate of \$165.00 per hour for 2014 for an amount not

to exceed \$20,000.00; and

WHEREAS, the Business Administrator recommends the continued engagement of Bishop; and

WHEREAS, the engagement of Bishop is a professional services contract which is exempt from

Public bidding requirements pursuant to N.J.S.A. 40A:11-5(i) (a) (ii);

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that

the Township be and is hereby authorized to approve Bishop’s engagement for the purposes of

assisting the Township in preparing its third round Housing Element and Fair Share Plan at

a rate of \$165.00 per hour commencing August 1, 2014 through December 31, 2014, for an

amount not to exceed \$20,000; and it is further

RESOLVED, that the Mayor be and is hereby authorized to execute the proposed agreement

with Bishop and the Municipal Clerk shall attest to the Mayor’s signature; and it is further

RESOLVED, that the Municipal Clerk shall cause a copy of the contract to be available for

inspection during normal business hours and publicized in accordance with applicable law.

Karen J. Carnevale, Municipal Clerk

Susan McCartney, Council President

Adopted: August 12, 2014

PROFESSIONAL SERVICES AGREEMENT

Agreement made as of _____, 2014 by and between the Township of West Orange ("Township") and Shirley M. Bishop, P.P. ("the Consultant").

WHEREAS, the Township is authorized by statute to appoint consultants and the Consultant has agreed to continue to serve as housing consultant to the Township pursuant to law and a professional services agreement has been authorized by resolution of the Township.

NOW, THEREFORE, it is agreed as follows:

1. **Retainer.** The Township retains the Consultant, and the Consultant agrees to continue to provide housing consulting services to the Township in accordance with this agreement.
2. **Scope of Services.** The Consultant will assist the Township in preparing its third round Housing Element and Fair Share Plan.
3. **Compensation.** The compensation of the Consultant shall be at the rate of \$165.00 per hour commencing August 1, 2014 through December 31, 2014 not to exceed \$20,000. The Consultant shall be reimbursed for actual out-of-pocket expenses for travel, postage, duplication and communications.

IN WITNESS WHEREOF, the parties have executed this agreement this _____ day of _____, 2014.

Witness:
Orange

Township of West

Karen J. Carnevale, Municipal Clerk

Robert D. Parisi, Mayor

Witness:

Shirley M. Bishop, P.P., LLC

153-14
August 12, 2014

RESOLUTION

WHEREAS, the Tax Collector of the Township of West Orange has determined that the Taxpayers indicated on the attached Schedule "A" are entitled to tax overpayment refunds, and;

WHEREAS, it is the desire of the Governing Body to have these overpayments returned to the respective taxpayers;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that the Tax Collector and Treasurer of West Orange are hereby authorized, to make refund overpayments in the amount shown to the taxpayers as appears on Schedule "A" which is made apart hereof

Schedule "A" Attached

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

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

John O. Gross, CFO

SCHEDULE 'A'
RESOLUTION -14

BLOCK	LOT	NAME	ADDRESS	AMOUNT	REASON
175.22	4	UNITED WATERPROOFING CORP	199 W CRYSTAL ST DOVER, NJ 07801	\$122.00	POSTED IN ERROR
81.01	1.01	SETON HALL PREPARATORY SCHO	NORTHFIELD AVENUE WEST ORANGE, NJ	\$5,125.44	CHANGE IN ASSESSMENT
82.01	7.05	SETON HALL PREPARATORY SCHO	656 PROSPECT AVENU WEST ORANGE, NJ	\$6,384.00	CHANGE IN ASSESSMENT
167.03	17	NORDAN REALITY	820 MORRIS TURNPIKE SHORT HILLS, NJ	\$3,990.91	OVERPAYMENT
TOTAL				\$15,622.35	

RESOLUTION

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax lien Investors/Real Auction.com to conduct pilot programs, and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Township of West Orange wishes to participate in the pilot program for an Electronic Tax Sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of West Orange, in the State of New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: August 12, 2014

**RESOLUTION AUTHORIZING PARTICIPATION IN THE
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION
(New Jersey State Approved Cooperative Pricing System #65MCESCCPS)**

**“SMALL TICKET LEASE PROGRAM”
(Middlesex Regional Educational Services Commission Bid No. 13/14-23)**

Lessee: Township of West Orange

Principal Amount Expected To Be Financed: \$90,923.50
Compound Period: Annual
Annual Rate: 2.271 %

WHEREAS, the Lessee named above (the “Lessee”) is a political subdivision of the State of New Jersey (the “State”) and is duly organized and existing pursuant to the Constitution and laws of the State; and

WHEREAS, pursuant to applicable law, the Lessee acting through its governing body (the “Governing Body”) is authorized to acquire and lease personal property necessary to the functions or operations of the Lessee; and

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements (“Equipment Leases”) in the principal amount not exceeding the amount stated above (the “Principal Amount”) for the purpose of acquiring the Equipment described generally below (the “Equipment”) and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee;

Brief Description of Equipment: Two (2) 2014 Police Interceptor SUV

WHEREAS, **FIRST HOPE BANK, a National Banking Association**, the “Lessor”) is expected to act as the Lessor under the Equipment Leases; and

WHEREAS, the Lessee may pay certain capital expenditures in connection with the Equipment prior to its receipt of proceeds of the Equipment Leases (“Lease Purchase Proceeds”) for such expenditures, and such expenditures are not expected to exceed the Principal Amount; and

WHEREAS, the Lessee hereby declares its official intent to be reimbursed for any capital expenditures made for the Equipment after adoption of this resolution but prior to the issuance of the Equipment Leases from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee as follows:

Section 1. The Lessee hereby determines that it has critically evaluated the financing alternatives and that entering into the Equipment Leases and financing the acquisition of the Equipment thereby is in the best interests of the Lessee.

Section 2. The Lessee is hereby authorized to acquire and install the Equipment and is hereby authorized to finance the Equipment by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. Either one of the Mayor or the Business Administrator (each an “Authorized Representative”) acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other agreement or documents relating to the Equipment Leases (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee’s obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Leases, and the Lessee’s obligations under the Equipment Leases shall not constitute indebtedness of the Lessee under the laws of the State.

Section 7. It is hereby determined that the acquisition of the Equipment is permitted under the laws governing the Lessee and is essential to the efficient operation of the Lessee.

Section 8. The Governing Body of the Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Equipment following adoption of this resolution but prior to the receipt of the Lease Purchase Proceeds for the Equipment. The Governing Body of the Lessee hereby declares the Lessee’s official intent to use the Lease Purchase Proceeds to reimburse itself for such Equipment expenditures. This section of the resolution is adopted by the Governing Body of the Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of this resolution does not bind the Lessee to make any expenditure, incur any obligation, or proceed with the acquisition of the Equipment.

Section 9. The Lessee covenants that it will comply with all requirements of the Internal Revenue Code of 1986, as amended, (the “Code”) necessary to ensure that the interest portion of rental payments due under the Equipment Leases will be excluded from gross income under Section 103(a) of the Code. [The Lessee reasonably expects it will not issue more than \$10,000,000 of tax-exempt obligations (other than “private activity bonds” that are not “qualified 501(c)(3) bonds”) during the calendar year in which each of the Equipment Leases is issued and hereby designates each Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.] The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest portion of the rental payments due on the Equipment Leases authorized by this resolution

as excludable from gross income for federal income tax purposes pursuant to Section 103(a) of the Code.

Section 10. This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED on this _____, 201____.

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: August 12, 2014

CERTIFICATE

The undersigned **Secretary/Clerk** of the above-named Lessee hereby certifies and attests that (i) the undersigned has access to the official records of the Governing Body of the Lessee; (ii) the foregoing resolutions were duly adopted by the favorable vote of the members of the Governing Body of the Lessee at a [regular/special] meeting of the Governing Body duly called, regularly convened and attended throughout by the requisite quorum of the members thereof; (iii) such resolutions have not been amended or altered and are in full force and effect on the date stated below; and (iv) such meeting of the Governing Body relating to the authorization and delivery of the Equipment Lease has been conducted in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.*, and any internal procedures of the Governing Body.

Signature of Secretary/Clerk of Lessee

Print Name: _____

Official Title: _____

Date: _____, 2014

**RESOLUTION AUTHORIZING PARTICIPATION IN THE
MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION
(New Jersey State Approved Cooperative Pricing System #65MCESCCPS)**

**“SMALL TICKET LEASE PROGRAM”
(Middlesex Regional Educational Services Commission Bid No. 13/14-23)**

Lessee: Township of West Orange
Compound Period: Annual
Annual Rate: 2.271%

Principal Amount Expected To Be Financed: \$77,881.50

WHEREAS, the Lessee named above (the “Lessee”) is a political subdivision of the State of New Jersey (the “State”) and is duly organized and existing pursuant to the Constitution and laws of the State;

WHEREAS, pursuant to applicable law, the Lessee acting through its governing body (the “Governing Body”) is authorized to acquire and lease personal property necessary to the functions or operations of the Lessee;

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements (“Equipment Leases”) in the principal amount not exceeding the amount stated above (the “Principal Amount”) for the purpose of acquiring the Equipment described generally below (the “Equipment”) and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee;

Brief Description of Equipment: One (1) 2014 Police Interceptor Sedan AWD One (1) 2014 Police Interceptor SUV

WHEREAS, **FIRST HOPE BANK, a National Banking Association**, (the “Lessor”) is expected to act as the Lessor under the Equipment Leases;

WHEREAS, the Lessee may pay certain capital expenditures in connection with the Equipment prior to its receipt of proceeds of the Equipment Leases (“Lease Purchase Proceeds”) for such expenditures, and such expenditures are not expected to exceed the Principal Amount; and

WHEREAS, the Lessee hereby declares its official intent to be reimbursed for any capital expenditures made for the Equipment after adoption of this resolution but prior to the issuance of the Equipment Leases from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee as follows:

Section 1. The Lessee hereby determines that it has critically evaluated the financing alternatives and that entering into the Equipment Leases and financing the acquisition of the Equipment thereby is in the best interests of the Lessee.

Section 2. The Lessee is hereby authorized to acquire and install the Equipment and is hereby authorized to finance the Equipment by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. Either one of the Mayor or the Business Administrator (each an "Authorized Representative") acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other agreement or documents relating to the Equipment Leases (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Leases, and the Lessee's obligations under the Equipment Leases shall not constitute indebtedness of the Lessee under the laws of the State.

Section 7. It is hereby determined that the acquisition of the Equipment is permitted under the laws governing the Lessee and is essential to the efficient operation of the Lessee.

Section 8. The Governing Body of the Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Equipment following adoption of this resolution but prior to the receipt of the Lease Purchase Proceeds for the Equipment. The Governing Body of the Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for such Equipment expenditures. This section of the resolution is adopted by the Governing Body of the Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of this resolution does not bind the Lessee to make any expenditure, incur any obligation, or proceed with the acquisition of the Equipment.

Section 9. The Lessee covenants that it will comply with all requirements of the Internal Revenue Code of 1986, as amended, (the "Code") necessary to ensure that the interest portion of rental payments due under the Equipment Leases will be excluded from gross income under Section 103(a) of the Code. [The Lessee reasonably expects it will not issue more than

\$10,000,000 of tax-exempt obligations (other than “private activity bonds” that are not “qualified 501(c)(3) bonds”) during the calendar year in which each of the Equipment Leases is issued and hereby designates each Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.] The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest portion of the rental payments due on the Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103(a) of the Code.

Section 10. This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED on this _____, 201__.

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: August 12, 2014

CERTIFICATE

The undersigned **Secretary/Clerk** of the above-named Lessee hereby certifies and attests that (i) the undersigned has access to the official records of the Governing Body of the Lessee; (ii) the foregoing resolutions were duly adopted by the favorable vote of the members of the Governing Body of the Lessee at a [regular/special] meeting of the Governing Body duly called, regularly convened and attended throughout by the requisite quorum of the members thereof; (iii) such resolutions have not been amended or altered and are in full force and effect on the date stated below; and (iv) such meeting of the Governing Body relating to the authorization and delivery of the Equipment Lease has been conducted in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 *et seq.*, and any internal procedures of the Governing Body.

Signature of Secretary/Clerk of Lessee

Print Name: _____

Official Title: _____

Date: _____, 201__

RESOLUTION
ABANDONED CAR AUCTION

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

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

The Purchasing Agent is hereby authorized to sell one (1) transferable vehicle title(s) in the manner set forth in N.J.S.A. 39:10A-1 and N.J.S.A. 40A:14-157. Date and time of sale is scheduled for Tuesday August 26, 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 five (5) transferable vehicle title(s) in the manner set forth in N.J.S.A. 39:10A-1 and N.J.S.A. 40A:14-157. Date and time of sale is scheduled for Tuesday August 26, 2014 at 3:00 PM in following location:

Select Towing
52 Washington Street
West Orange, NJ 07052

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: August 12, 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 Tuesday August 26, 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>
1999	FOR	1FAFP4042XF155999

In accordance with N.J.S.A. 39:10A-1 and N.J.S.A. 40A:14-157 the Township of West Orange will hold for sale at public auction on Tuesday August 26, 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>
2007	CAD	1G6DP577370130719
2003	HOM	5HABV12173N024023
1999	VW	WVWMD63B5XE222410
2000	OLDS	1GHDX03E5YD197704
2008	NISS	5N1BV28U98N109175

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

Notice to be published in WO Chronicle 08/14/2014

**RESOLUTION TO PURCHASE FOUR (4) 2014 POLICE VEHICLES
THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL**

WHEREAS, the West Orange Police Department must maintain a standard number of vehicles to be available for duty at all times. In order to maintain the fleet, new vehicles are acquired while older ones are repurposed. The number of vehicles to be acquired this year is four; and

WHEREAS, the Township of West Orange is a member pursuant to N.J.S.A. 40A:11-11(6) of the Morris County Cooperative Pricing Council ("MCCPC") and as a Local Government Unit, may without advertising for bids, purchase any goods or services under contract with said Cooperative; and

WHEREAS, the MCCPC has through competitive bidding awarded a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey 07936 for various vehicles and trucks; and

WHEREAS, the Township of West Orange desires to authorize the purchase of three (3) 2014 Police Interceptor SUV's with options MCCPC Contract #15A Item #3 in the amount of \$45,461.75 each, and one (1) 2014 Police Interceptor Sedan AWD with options MCCPC Contract #15A, Item #3 in the amount of \$32,419.75, resulting in the total cost of \$168,805.00; and

WHEREAS, the Township is a member of the Middlesex Regional Educational Services Commission ("MRESC"); and

WHEREAS, the funding of the above mentioned vehicles will be financed through the three year lease purchase program offered through the Middlesex Regional Educational Services Commission #65MCESSCPS.

NOW BE IT RESOLVED, by the Municipal Council of the Township of West Orange hereby authorizes the Purchasing Agent on behalf of the Township to issue and execute a purchase order in the amount of \$161,283.00 to Beyer Ford with funds certified available by the Chief Finance Officer.

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: August 12, 2014

I hereby certify funds are available from account:_____

John O. Gross, CFO

RESOLUTION

**AUTHORIZING THE PURCHASE OF THREE (3) 2014 FORD F-450 4WD
THROUGH NEW JERSEY STATE CONTRACT #A83560**

WHEREAS, the Township of West Orange is in need of replacing older trucks used by the Department of Public Works; and

WHEREAS, the Township of West Orange as a Local Government Unit, may without advertising for bids, purchase any goods or services under any contract for such goods or services entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury pursuant to the provision of N.J.S.A. 40A: 11-12; and

WHEREAS, the State Division of Purchase and Property has awarded a contract To Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey 07936 for various vehicles and trucks; and

WHEREAS, the Township of West Orange desires to authorize the purchase of three (3) 2014 Ford F-450 4wd trucks with F450 options as described in the State of New Jersey Contract #A83560. Each vehicle has a cost of \$53,761.00, resulting in total cost of \$161,283.00.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of West Orange hereby authorizes the Purchasing Agent, on behalf of the Township to issue and execute a purchase order in the amount of \$161,283.00 to Beyer Ford with funds certified available by the Chief Finance Officer.

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: August 12, 2014

I hereby certify funds are available from accounts:

03-2366-12-0040-010 \$110,000.00

03-2407-14-0070-020 \$ 51,283.00

John O. Gross, Chief Finance Officer

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

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 a reclassification and salary schedule of certain Township of West Orange Municipal employees, setting a salary guide and establishing the employee's status as a Township employee and under the guidelines of the New Jersey Department of Personnel as filed in the office of the Municipal Clerk for the following positions:

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u> <u>1/1/14</u>
Chief REHS Public Health/Information Technology	50,000	91,500
Health Officer /Right to Know Coordinator	42,850	119,294

SECTION 2. This ordinance and the titles and salary ranges herein provided shall become effective January 01/01/14.

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

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

ROBERT D. PARISI, MAYOR

SUSAN MCCARTNEY, COUNCIL PRESIDENT

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

Karen J. Carnevale, Municipal Clerk

Introduced: July 22, 2014

Adopted: August 12, 2014

LEGISLATIVE HISTORY

Titles and ranges per adoption of 2014 budget.

Title Consolidations.

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 7, TRAFFIC, SUBSECTION 7-20, STOP INTERSECTION OF
THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF WEST ORANGE

BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey, that Marshall Street and Phyllis Road and Holmes Street and Phyllis Road shall be designated as a Stop Intersections pursuant to N.J.S.A. 39:4-8(b) under the Municipal Engineer's Certification and License Number GE026706 as follows:

Section 1. The Township Council of the Township of West Orange finds it in the interest of public safety to designate Marshall Street and Phyllis Road and Holmes Street and Phyllis Road as Stop Intersections pursuant to N.J.S.A.39:4-8(b).

Section 2. The Municipal Engineer of the Township of West Orange has submitted and certified all the legislative requirements pursuant to N.J.S.A. 39:4-8(b) and the criteria as set forth by the New Jersey Department of Transportation, Bureau of Traffic Engineering and Investigations have been met.

Section 3. Subsection 7-20, Stop Intersections, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows pursuant to the provisions of N.J.S.A. 39:4-140 (*italic type denotes deletion, bold type denotes addition*):

Intersection	Stop Signs On:
Marshall Street and Phyllis Road	Marshall Street
Holmes Street and Phyllis Road	Holmes Street

Section 4. If any provisions of this Ordinance or application thereof, under any circumstances, is held invalid, the invalidity shall not affect any of the provisions or applications of this Ordinance that can be given effect without the valid provision(s) or application and to this

end, the provisions of the Ordinance are severable.

Section 5. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 6. Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of any provision of this Ordinance or any supplement thereto shall be liable to the penalty of not more than fifty dollars (\$50.00) or imprisonment for a term not to exceed fifteen (15) days or both.

Section 7. This Ordinance shall take effect upon final passage and publication in accordance with law and approval by the New Jersey Department of Transportation.

Robert D. Parisi, Mayor

Susan McCartney, Council President

Introduced: July 22, 2014

Adopted: August 12, 2014

Approved as to form on the basis of
the facts provided

Karen J. Carnevale, Municipal Clerk

LEGISLATIVE HISTORY

The Ordinance, which amends the Traffic Regulations of the Township, designates the intersections of Marshall Street and Phyllis Road and Holmes Street and Phyllis Road as Stop Intersections with Stop Signs to be placed on Marshall Street and Holmes Street. These intersections are “T” intersections with Marshall Street and Holmes Street forming the stems of the “T”. Due to volume of traffic which travels on Marshall Street and Phyllis Road and Holmes Street and Phyllis Road the Township’s Engineering Division determined that traffic needed to be regulated at these intersections for the safe movement of traffic through them. The Engineering Division recommended designating the intersections as Stop Intersections with Stop Signs on Marshall Street and on Holmes Street to provide for the safe movement of traffic there. Without Stop Signs on Marshall Street and Holmes Street the normal right-of-way rule is not expected to provide reasonably safe operation of these intersections.

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

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 a reclassification and salary schedule of certain Township of West Orange Municipal employees, setting a salary guide and establishing the employee's status as a Township employee and under the guidelines of the New Jersey Department of Personnel as filed in the office of the Municipal Clerk for the following positions:

<u>TITLE</u>	MIN.	MAX. <u>1/1/010</u>	MAX. <u>1/1/11</u>	MAX. <u>1/1/12</u>	MAX. <u>1/1/13</u>
Communications Operator Public Safety Telecommunications Operator Public Safety Telecommunications Operator – Trainee	20,000	43,659	43,659	44,532	45,423
Senior Communications Operator	20,000	62,161	62,161	63,404	64,672
Communications Operator-Bilingual	18,000	49,895	49,895	50,893	51,911

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. All new employees hired after 01/31/14 shall be hired under a new salary schedule adding (2) two additional steps.

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

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

Robert D. Parisi, Mayor

Susan McCartney, Council President

Introduced: July 22, 2014

Adopted: August 12, 2014

Approved as to form on the basis of
the facts provided

Karen J. Carnevale, Municipal Clerk

LEGISLATIVE HISTORY

Titles include a 0% increase, January 1, 2010, 0% increase January 1, 2011, 2% increase January 1, 2012, and 2% January 1, 2013

All changes per MOA dated 07/10/14.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-46.2, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN DAYS ON CERTAIN STREETS SERVICING RESIDENTIAL LAND USES, EXCEPT BY PERMIT AND SUBSECTION 7-14.3, PARKING TIME LIMITED ON CERTAIN STREETS DURING CERTAIN HOURS OF CERTAIN DAYS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE

BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey, as follows:

Section 1. Subsection 7-46.2, Parking Prohibited During Certain Hours on Certain Days on Certain Streets Servicing Residential Land Uses, Except by Permit, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows (*italic type denotes deletion, bold type denotes addition*):

Name of Restricted Parking Street	Zone	Sides	Hours	Days	Location
Glen View Drive	9	Both	5:00 A.M. to 12:00 Midnight; 12:00 Midnight to 2:00 A.M.	All	From Northfield Avenue to Beacon Place

Section 2. Subsection 7-14.3, Parking Time Limited on Certain Streets During Certain Hours of Certain Days, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows: (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Sides	Time Limit	Hours	Days	Location
<i>Glen View Drive</i>	<i>Both</i>	<i>1 hour</i>	<i>8:00 A.M. to 6:00 P.M.</i>	<i>Monday thru Friday</i>	<i>Entire Length</i>
Glen View Drive	Both	1 hour	8:00 A.M. to 6:00 P.M.	Monday thru Friday	From Beacon Place and extending 500 feet Northerly

Section 3. If any provision of this Ordinance or application thereof, under any circumstances, is held invalid, the invalidity shall not affect any of the provisions or applications of this Ordinance that can be given effect without the valid provision(s) or applications and to this end, the provisions of this Ordinance are severable.

Section 4. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 5. This Ordinance shall take effect upon final passage and publication in accordance with law.

Robert D. Parisi, Mayor

Susan McCartney

Introduced: July 22, 2014
Adopted: August 12, 2014

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

Karen J. Carnevale, Municipal Clerk

LEGISLATIVE HISTORY

This Ordinance, designates Glen View Drive between Northfield Avenue and Beacon Place as a Restricted Parking Street on all days between the hours of 5:00 A.M. and 12:00 Midnight, and 12:00 Midnight and 2:00 A.M. During these hours parking will only be allowed by permit with permits issued only to residents of this section of Glen View Drive and their guests. This section of Glen View Drive is used for parking by bus commuters, employees and customers of local businesses, and employees and visitors of local institutions along Northfield Avenue. Between the hours of 5:00 A.M. and 12:00 Midnight and 12:00 Midnight and 2:00 A.M. this Ordinance will curtail parking on this section of Glen View Drive by bus commuters, employees and customers of local businesses, and employees and visitors of local institutions. Parking between the hours of 2:00 A.M. and 5:00 A.M. is already prohibited by the overnight parking prohibition regulation. This parking by permit regulation does not provide an exemption from the overnight parking regulations.

**AN ORDINANCE REQUIRING THE INSTALLATION OF A
KEY LOCK BOX EMERGENCY ACCESS SYSTEM FOR USE BY THE
WEST ORANGE FIRE DEPARTMENT DURING AN EMERGENCY OR ANY OTHER
ACTION DEEMED NECESSARY BY THE WEST ORANGE FIRE DEPARTMENT
AND ADDING SECTION 4 TO CHAPTER 18 OF THE
MUNICIPAL CODE OF THE TOWNSHIP OF WEST ORANGE**

WHEREAS, the health, safety, and welfare of the citizens of the Township of West Orange (“Township”) are promoted by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Township Fire Department in gaining access to the structure when responding to calls for emergency service; and

WHEREAS, many buildings are equipped with automatic systems that may cause the Township Fire Department to be summoned at a time of emergency when the building or business is not occupied or when the occupant is not available to provide the Township Fire Department entry into the building; and

WHEREAS, the key lock box emergency access system will eliminate costly damage from forcible entry into buildings equipped with automatic systems by the Township Fire Department checking for fire or other dangerous conditions; and

WHEREAS, the Township Fire Department can reduce the potential for rapid expansion of fire and other hazardous conditions by quick access and decrease dangers for firefighters; and

WHEREAS, the key lock box emergency access system has been adopted by Section 506 of the International Fire Code 2006, New Jersey Edition; and

WHEREAS, the key lock box emergency access system will operate on a controlled master key basis by the Township Fire Department; and

WHEREAS, the Township is authorized to pass this Ordinance pursuant to N.J.S.A. 40:48-2, and pursuant to the Township’s police powers.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of West Orange in the County of Essex and the State of New Jersey, that there should be created a Chapter 18, Section 4 of the Revised General Ordinances of the Township, entitled “Key Lock

Box Emergency Access System,” which shall provide as follows:

18-4 KEY LOCK BOX EMERGENCY ACCESS SYSTEM

18-4.1 Definitions

Automatic Dialer shall refer to a device that automatically dials and relays a prerecorded message to a central station or the fire department.

Automatic Fire Suppression System refers to a system or assembly of piping, valves, controls, and sprinklers, which are designed and installed to comply with the National Fire Protection Association (NFPA) standards, which utilize water, foam, carbon dioxide, or other gas to automatically react to suppress fire.

Fire Official shall refer to the Fire Chief or his/her designee.

Central Station shall refer to an office of a private company to which remote alarm and supervisory signaling devices are transmitted and where personnel are in attendance at all times to supervise the circuits and investigate signals.

Key Lock Box shall refer to a secure rapid entry system that is designed to be used by Fire Department Personnel in the event of an emergency to gain entry into a structure by using the enclosed owner-provided key(s). This box is usually mounted on the exterior of the building in a location that is specified by the Fire Official and Construction Official. All boxes shall be UL (Underwriters Laboratories) certified, Knox Box brand, and approved by the Fire Official and Construction Official.

Standpipe System shall refer to a wet or dry system of piping, valves, outlets and related equipment designed to provide water at specified pressures and installed exclusively for the fighting of fires.

18-4.2 Structures to Be Equipped with a Key Lock Box

Unless otherwise determined in writing by the Fire Official, the following structures shall be equipped with a Key Lock Box of a type and size and at a location approved by the Fire Official and Construction Official:

- (a) All new commercial buildings shall be equipped with a Key Lock Box prior to the issuance of the certificate of occupancy.
- (c) All existing commercial buildings constructing additions, major renovations, or changes of use that require Township Zoning or Planning Board approval, shall be equipped with a Key Lock Box prior to the issuance of any necessary permits.
- (d) All existing commercial buildings with new occupancies by tenants shall be equipped with a Key Lock Box prior to the issuance of a Certificate of Continued Occupancy.

- (e) Each building protected by an automatic fire suppression and/or standpipe system and not manned 24 hours a day, 7 days a week.
- (f) Each building protected by an automatic fire alarm system (automatic dialer, central station, external audible/visual alarm) and not manned 24 hours a day, 7 days a week.
- (g) Multi-family residential structures that have restricted access through locked doors but have a common corridor for access to the living units, including but not limited to condominium buildings.
- (h) Schools, whether public or private.
- (i) Governmental structures and nursing care facilities, unless the building is staffed or open 24 hours a day, 7 days a week.

18-4.3 Key Lock Box Contents

The property owner is required at all times to keep a key(s) in the Key Lock Box that will allow access to the structure. The Key Lock Box shall contain, but not be limited to, the following items as designated by the Fire Official:

- (a) Labeled keys to locked points of ingress and egress, whether in interior or exterior of such buildings;
- (b) Labeled keys to the locked mechanical rooms;
- (c) Labeled keys to locked elevator rooms and controls;
- (d) Labeled keys to any fence or secured areas;
- (e) Labeled keys to areas of the building where fire alarm panels and fire protection systems are located;
- (f) Labeled keys to any other areas that may be required by the Fire Official;
- (g) A card containing the emergency contact names and phone numbers for such buildings;
- (h) Floor plans of the rooms within the building showing locations of shut-offs;
- (i) Hazardous materials information; and
- (j) An inventory of the keys.

The property owner shall notify the Township Fire Department when any or all of the locks or keys have been changed and shall keep the immediate area of the Key Lock Box free and clear of any and all obstructions.

- .4 Registration and Installation of Key Lock Boxes

The property owner shall apply for a registration for a Key Lock Box on forms provided by and obtained from the Fire Official. A registration is required prior to the installation of a Key Lock Box in order to verify the proper size, mounting location and installation of said Key Lock Box. The Key Lock Box shall be installed at a location approved by the Fire Official and the Construction Official. No Key Lock Box shall be installed, voluntarily or otherwise, without first obtaining the approval of the Fire Official and the Construction Official. The property owner shall be responsible for the cost to purchase, install, and maintain the Key Lock Box.

18-4.5 Compliance

All existing buildings required to have a Key Lock Box shall comply with this Ordinance one (1) year from its effective date. All newly constructed buildings not yet occupied or buildings currently under construction and all buildings or businesses applying for a certificate of occupancy shall comply immediately upon passage of this Ordinance. In any event, the owner of any structure in the Township shall comply with this ordinance within sixty (60) days from receipt of written notice from the Fire Official. The cost of purchasing and installing, along with any cost associated with implementation of the program at a specific property, will be borne by the property owner.

18-4.6 Penalties

Any property owner failing to comply with this Ordinance shall be subject to a fine of not more than Three Hundred (\$300) Dollars for each day of violation or non-compliance.

Robert D. Parisi, Mayor

Susan McCartney, Council President

Karen J. Carnevale, Municipal Clerk

Introduced: August 12, 2014

Adopted: September 9, 2014

2417-14

LEGISLATIVE HISTORY

Authority for this proposed legislation is derived from N.J.S.A. 40:48-2, entitling municipalities to make and enforce ordinances and regulations it deems necessary and proper for the protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants. The key lock box emergency access system has also been adopted by Section 506 of the International Fire Code 2006, New Jersey Edition.

The purpose of the proposed legislation is to promote the health, safety, and welfare of the Township's citizens and business owners by allowing the Township Fire Department to gain access to structures when same is not occupied or when the occupants are unable to grant ingress to the Fire Department. The improved access will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts in gaining access to locked structures during an emergency.

By enabling quick access to buildings, the proposed legislation will also reduce the risk of rapid extension of fire and other hazardous conditions. Such a reduction will decrease dangers to firefighters, and help minimize the spread of property damage.

**AN ORDINANCE REQUIRING THE INSTALLATION OF A FIRE DEPARTMENT
CONNECTION INDICATOR LIGHT FOR USE BY THE WEST ORANGE FIRE
DEPARTMENT AND ADDING SECTION 5 TO CHAPTER 18 OF THE MUNICIPAL
CODE OF THE TOWNSHIP OF WEST ORANGE**

WHEREAS, the health, safety, and welfare of the citizens of the Township of West Orange (“Township”) are promoted by requiring certain structures to install a connection indicator light on the exterior of the structure to aid the Township Fire Department in locating Fire Department Connections (“FDCs”) in emergency situations; and

WHEREAS, the Township Fire Department can reduce the potential for rapid extension of fire and other hazardous conditions and decrease dangers for firefighters by quick access to FDCs; and

WHEREAS, the Township Construction Official and Fire Official have reviewed this ordinance and recommend its passage; and

WHEREAS, the Township is authorized to pass this Ordinance pursuant to N.J.S.A. 40:48-2, and pursuant to the Township’s police powers.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of West Orange in the County of Essex and the State of New Jersey, that there should be created a Chapter 18, Section 5 of the Revised General Ordinances of the Township, entitled “Fire Department Connection Indicator Light,” which shall provide as follows:

-5 FIRE DEPARTMENT CONNECTION INDICATOR LIGHT

- .1 The owner of a new structure, an existing structure undergoing construction requiring a new or revised Certificate of Occupancy, or an existing structure undergoing a change of use, having a sprinkler and/or standpipe connection either attached to or within five feet of said structure, shall be required to install, maintain and illuminate a weatherproof light fixture containing a 100 watt light source, red in color, mounted on the structure in the immediate vicinity of the sprinkler or standpipe connection at a height of seven feet above the connection. The exact final

placement and design of the light fixture shall be set forth on plans submitted to and approved by the Fire Chief or his/her designee and the Construction Official.

- .2 The owner of a new structure, an existing structure undergoing construction requiring a new or revised Certificate of Occupancy, or an existing structure undergoing a change of use, having a sprinkler and/or standpipe connection remotely located at a distance in excess of five feet of said structure shall cause to be placed, installed, maintained and illuminated a freestanding, weatherproof light fixture containing a 100 watt light source, red in color, mounted immediately behind the fixture at a height of four feet. The exact final placement and design of the light fixture shall be set forth on plans submitted to and approved by the Fire Chief or his/her designee and the Construction Official.
- .3 In certain cases, based upon extraordinary conditions, the Fire Chief, or his/her designee, shall have the right to grant a waiver of the requirements imposed by this section, on an individual basis; however, some form of other substitute identification will be required.
- .4 The owner of any structure in the Township which falls within the requirements of this action shall cause the structure to be brought into compliance with this Section within one (1) year from its effective date, or 60 days from receipt of written notice from the Fire Chief, or his/her designee, whichever is sooner.
- .5 Any property owner failing to comply with this Ordinance shall be subject to a fine of not more than Three Hundred (\$300) Dollars for each day of violation or non-compliance.

Robert D. Parisi, Mayor

Susan McCartney, Council President

Karen J. Carnevale, Municipal Clerk

Introduced: August 12, 2014

Adopted: September 9, 2014

LEGISLATIVE HISTORY

Authority for this proposed legislation is derived from N.J.S.A. 40:48-2, entitling municipalities to make and enforce ordinances and regulations it deems necessary and proper for the protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants.

The purpose of the proposed legislation is to promote the health, safety, and welfare of the Township's citizens and business owners by allowing the Township Fire Department to locate and gain access to Fire Department Connections ("FDCs") as quickly as possible during emergency situations. FDCs are intended to provide sprinkler systems with a means to receive water support from a Fire Department pumping apparatus. This ability is necessary when sprinkler systems need supplemental water support, and when events such as floods, hurricanes, and similar events interrupt utility-provided water because of loss of power to pumping stations or damage to the water supply infrastructure piping. If these events were to interrupt the automatic water supply to a sprinkler system, then the only possibility of providing water to the sprinkler would be through the FDC. By enabling quick access to FDCs, the proposed legislation will reduce the risk of rapid extension of fire and other hazardous conditions. Such a reduction will decrease dangers to firefighters, and help minimize the spread of property damage.

**AN ORDINANCE AMENDING CHAPTER 4, SECTION 35.2 OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE**

I. PURPOSE

WHEREAS, the existence of stray, feral and otherwise unconfined wildlife in the Township of West Orange (the “Township”) creates a hazard to the health of Township residents and their pets; and

WHEREAS, the Township's Health Department (the “Department”) reports that during the period between 2010 and 2013, approximately four-hundred and thirty (430) stray cat complaints were registered with the Department's Animal Control Division (“ACD”), and five-hundred and seventeen (517) stray cats were impounded; and

WHEREAS, the Department reports that during the period between January 1, 2014 and June 30, 2014, sixty-eight (68) stray cat complaints were registered with the ACD, and eighty-one (81) stray cats were impounded; and

WHEREAS, the intentional feeding of stray, feral and otherwise unconfined wildlife within the Township is a major cause of the proliferation of stray, feral and otherwise unconfined wildlife in the Township; and

WHEREAS, Chapter 4, Section 35.2 of the Township's Revised General Ordinances (“Section 35.2”) prohibits the feeding of wildlife, excluding confined wildlife, in any public park or Township-owned property; and

WHEREAS, the prohibition set forth in Section 35.2, insofar as it is limited in application to public parks and Township-owned property, has proven insufficient to prevent the aforementioned hazard to the health of Township residents and their pets;

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 4, Section 35.2 the Revised General Ordinances of the Township shall be amended as follows:

II. CHAPTER 4, SECTION 35.2 SHALL BE AND HEREBY IS AMENDED AND SUPERSEDED TO READ AS FOLLOWS:

4-35.2 Prohibited Conduct

No person shall feed any wildlife, excluding confined wildlife, anywhere within the Township.

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.

Susan McCartney
Council President

Robert D. Parisi, Mayor

Karen J. Carnevale, Municipal Clerk

Introduction: August 12, 2014

Adopted: September 9, 2014

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 7, TRAFFIC, SUBSECTION 7-23.1, TURN PROHIBITIONS,
OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF WEST ORANGE

BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey as follows:

Section 1. Subsection 7-23.1, Turn Prohibitions, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows: (*italic type denotes deletion, bold type denotes addition*):

Intersection	Turn Prohibited	Hours/ Days	Movement Prohibited
Oak Ridge Road and Hazel Avenue	Right	7:30 a.m. to	Northbound on Oak Ridge Road to eastbound on Hazel
		9:00 a.m. ; 2:30 p.m. to 4:00 p.m. School Days	Avenue
Oak Ridge Road and Hazel Avenue	Left	7:30 a.m. to	Southbound on Oak Ridge Road to eastbound on Hazel
		9:00 a.m. ; 2:30 p.m. to 4:00 p.m. School Days	Avenue
Birch Street and Hazel Avenue Avenue	Right	7:30 a.m. to	Northbound on Birch Street to eastbound on Hazel
		9:00 a.m. ; 2:30 p.m. to 4:00 p.m. School Days	
Hazel Avenue and Avenue Hazel Avenue School easterly Avenue driveway	Left	7:30 a.m. to	Southbound on Hazel
		to 9:00 a.m. ; 2:30 p.m. to 4:00 p.m. School Days	School easterly driveway to eastbound on Hazel

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

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

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

Robert D. Parisi, Mayor

Susan McCartney , Council President

Introduced: August 12, 2014

Adopted: September 9, 2014

**Approved as to form on the basis of
The facts provided.**

**Karen J. Carnevale
Municipal Clerk**

LEGISLATIVE HISTORY

This Ordinance, to improve both vehicular and pedestrian safety in the vicinity of the Hazel Avenue School, will prohibit certain turning movements on Hazel Avenue from intersecting streets and a school driveway on school days during the hours of 7:30 A.M. to 9:00 A.M. and 2:30 P.M. to 4:00 P.M. These proposed regulations will prohibit turning movements in an easterly direction on Hazel Avenue from Oak Ridge Road, Birch Street and the easterly school driveway. This will minimize conflicts between vehicles traveling in opposite directions on Hazel Avenue and keep most traffic flowing westerly on Hazel Avenue with the school located to the right on the northerly side of the street.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC,
SUBSECTION 7-12, PARKING PROHIBITED FOR STREET CLEANING AND
MAINTENANCE, SUBSECTION SECTION 7-13, PARKING PROHIBITED AT ALL
TIMES ON CERTAIN STREETS, SUBSECTION 7-14.7, ALTERNATE SIDE PARKING,
OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF WEST ORANGE**

BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey as follows:

Section 1. Subsection 7-12, Parking Prohibited for Street Cleaning and Maintenance, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Sides	Hours & Day	Location
Cary Street	North	Monday 8:00 a.m. to 10:00 a.m.	Valley Road to Orange Municipal Line

Section 2. Subsection 7-13, Parking Prohibited at All Times on Certain Streets, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Sides	Location
Cary Street	South	Valley Road to Orange Municipal Line

Section 3. Subsection 7-14-7, Alternate Side Parking, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Column A	Column B	Location
<i>Cary Street</i>	<i>South</i>	<i>North</i>	<i>Valley Road to Orange</i>

Municipal Line

Section 4. If any provisions of this Ordinance or application thereof, under any circumstances, is held invalid, the invalidity shall not affect any of the provisions or applications of this Ordinance that can be given effect without the valid provision(s) or application and to this end, the provisions of this Ordinance are severable.

Section 5. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 6. This Ordinance shall take effect upon final passage and publication in accordance with law upon the approval of the New Jersey Department of Transportation if required by Statute.

Robert D. Parisi, Mayor

Susan McCartney, Council President

**Approved as to form on the basis of
The facts provided.**

**Karen J. Carnevale
Municipal Clerk**

Introduced: August 12, 2014

Adopted: September 9, 2014

LEGISLATIVE HISTORY

This Ordinance will rescind Alternate Side Parking Regulations on Cary Street from Valley Road to the Orange Municipal Line and only allow parking on the northerly side of the street. This will provide more on street parking on Cary Street every day of the week. The southerly side will have parking prohibited at all times, and for street cleaning and maintenance on the northerly side, parking will be prohibited on Mondays between the hours of 8:00 a.m. and 10:00 a.m.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC,
SUBSECTION 7-12, PARKING PROHIBITED FOR STREET CLEANING AND
MAINTENANCE, SUBSECTION 7-13, PARKING PROHIBITED AT ALL TIMES ON
CERTAIN STREETS AND SECTION 7-14.1c NIGHT PARKING RESTRICTIONS ON
CERTAIN STREETS OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF WEST ORANGE**

BE IT ORDAINED, by the Township Council of the Township of West Orange, in the County of Essex, State of New Jersey as follows:

Section 1. Subsection 7-12, Parking Prohibited for Street Cleaning and Maintenance, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Sides	Hours and Days	Location
Rollinson Street	East	Monday 8:00 a.m. to 10:00 a.m.	Pillot Place to Swaine Place

Section 2. Subsection 7-13, Parking Prohibited at All Times on Certain Streets, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Sides	Location
<i>Rollinson Street</i>	<i>East</i>	<i>From Northfield Avenue to Mitchell Street</i>
Rollinson Street	East	From Northfield Avenue to Swaine Place
Rollinson Street	East	From Pillot Place to Mitchell Street

Section 3. Subsection 7-14.1c, Night Parking Restricted on Certain Streets, of the Revised General Ordinances of the Township of West Orange is hereby supplemented and amended as follows (*italic type denotes deletion, bold type denotes addition*):

Name of Street	Sides	Location
Rollinson Street	West	Mitchell Street to Northfield Avenue
Rollinson Street	East	Pillot Place to Swaine Place

Section 4. If any provisions of this Ordinance or application thereof, under any circumstances, is held invalid, the invalidity shall not affect any of the provisions or applications of this Ordinance that can be given effect without the valid provision(s) or application and to this end, the provisions of this Ordinance are severable.

Section 5. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 6. This Ordinance shall take effect upon final passage and publication in accordance with law and upon approval of the New Jersey Department of Transportation if required by Statute.

Robert D. Parisi, Mayor

Susan McCartney, Council President

Karen J. Carnevale
Municipal Clerk

Introduced: August 12, 2014

Adopted: September 9, 2014

LEGISLATIVE HISTORY

To provide additional on street parking in the Valley section of West Orange, this Ordinance will rescind the on street parking prohibition on the easterly side of Rollinson Street between Pillot Place and Swaine Place. Parking will still be prohibited at all times on that side between Mitchell Street and Pillot Place and the one block from Swaine Place to Northfield Avenue. However, to allow for street cleaning and maintenance, parking on the easterly side of Rollinson Street between Pillot Place and Swaine Place will be prohibited on Mondays between the hours of 8:00 A.M. and 10:00 A.M. Finally overnight parking is allowed on Rollinson Street where parking is allowed and this Ordinance addresses that by amending Revised General Ordinance 7-14.1c which lists certain exceptions to the overnight prohibition.

