

1. Conference Meeting Agenda

Documents: [CA11.10.14.PDF](#)

1.I. Best Practices Survey

Documents: [INVENTORY.PDF](#)

2. Public Meeting Agenda

Documents: [PM11.10.14.PDF](#)

3. Resolution(S)

3.I. 193-14

Documents: [193-14 GSMJIF - ARTS COUNCIL INSURANCE.PDF](#)

3.II. 194-14

Documents: [194-14 MUNICIPAL AID RESOLUTION 2015.PDF](#)

3.III. 195-14

Documents: [195-14 DUPLICATE PAYMENT RESOLUTION 2014.PDF](#), [195-14 ATTACHMENT - DUPLICATE PAYMENT RESOLUTION.PDF](#)

3.IV. 196-14

Documents: [196-14 RESOLUTION-SNOW REMOVAL \(11.10.14\).PDF](#), [196-14 SCHEDULE A-SNOW REMOVAL \(11.10.14\).PDF](#), [196-14 - ATTACHMENT SNOW REMOVAL RATES 2014-2015.PDF](#)

3.V. 197-14

Documents: [197-14 REBATE OF TAXES - TAX COURT OF NJ.PDF](#), [197-14 ATTACHMENT.PDF](#)

3.VI. 198-14

Documents: [198-14 RESOLUTION-MOUNTAIN TOP LEAGUE.PDF](#), [198-14 AGREEMENT-MOUNTAIN TOP LEAGUE.PDF](#), [198-14 ATTACHMENT AT-MOUNTAIN TOP LEAGUE.PDF](#)

3.VII. 199-14

Documents: [199-14 APPOINTING THOMAS BELLI AS FIRE OFFICIAL.PDF](#)

3.VIII. 200-14

Documents: [200-14 RESOLUTION ABANDONED CARS.PDF](#)

3.IX. 201-14

Documents: [201-14 SENIOR GROUP CONTRACTS RESOLUTION 2014.PDF](#)

3.X. 202-14

Documents: [202-14 AMENDING RESOLUTION 18-14-EMERGENCY TEMPORARY APPROP. RES-FUNDING OF TAX APPEALS.PDF](#)

3.XI. 203-14

Documents: [203-14 RAFFLE LICENSES-11.10.14.PDF](#)

4. Ordinance(S) On Second And Final Reading-None

5. Ordinance(S) On First Reading

5.I. 2429-14

Documents: [2429-14 ORDINANCE ALTERNATE SIDE PARKING REGULATIONS CARY STREET 2.PDF](#)

5.II. 2430-14

Documents: [2430-14 AMENDING CHAPTER 7-SUBSECTION 7-19 TRAFFIC-LINCOLN AVE.PDF](#)

5.III. 2431-14

Documents: [2431-14 AMENDING CHAPTER 7 SUBSECTION 7-20 TRAFFIC-JAMES COURT AND ALAN STREET.PDF](#)

COUNCIL COMMITTEE CONFERENCE MEETING

AGENDA

Council Chambers - 66 Main Street, West Orange, NJ

November 10 , 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.** Mayor's Proclamation-Vincent J. "Jimmy" Andriola-World War II Veteran
- b.** 2014 Best Practices Survey
- c.** **Update**-Public Information Officer
- d.** **Discussion:** 2015 Township Council Meeting Dates

Council Liaison Announcements

7:00 P.M.

- **Public Meeting**

Best Practices Worksheet CY 2014/SFY2015

		West Orange Township (Essex)	
0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
		General Management - GM	
1	Yes	Sharing services has been promoted for many years as a means to control costs. In addition to sharing resources such as labor, facilities and equipment with a county or with neighboring communities, shared services include similar agreements with school boards, independent authorities and fire districts. Shared services do not include cooperative purchasing, cooperative pricing or commodity resale agreements. <u>Did your municipality actively negotiate (i.e. meet with representatives from a neighboring town, your county or another local unit) and/or enter into at least one new shared service agreement, or actively negotiate or enter into the renewal of at least one existing shared service agreement, in the preceding year?</u>	
2	Yes	Traffic safety policies for utility and construction work should balance the interests of public safety with those of controlling costs. For example, uniformed police officers controlling a cul-de-sac may be excessive; while parking a policeman in a patrol car on a major highway to act in lieu of a "crash truck" may be insufficient and could endanger the officer. An appropriate traffic safety plan should include parameters governing when police officers, flag men and safety apparatus are used in different circumstances. <u>Has your municipality reviewed its policies and staffing requirements for providing traffic safety around utility and construction work, and implemented policies to assure that the most efficient and cost-effective approach is taken?</u>	
3	Yes	Has your municipality adopted a vehicle use policy prohibiting personal use of municipal vehicles, and providing that employees authorized to use such vehicles for commuting to/from work have a fringe benefit value added to the gross income reported on the employee's W-2 (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS)? Only answer "N/A" if your municipality does not have any municipally-owned vehicles.	

Best Practices Worksheet CY 2014/SFY2015

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0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
4	No	Has the appropriate administrative official reviewed the <u>State Comptroller's June 25, 2013 Report</u> with respect to local government legal fees, and does your municipality follow the best practices outlined in the checklist annexed as an Appendix to the report?	There was not sufficient time to amend the Township's procurement procedures for 2014. It is the Township's goal to utilize these procedures for 2015 procurement. In all other areas, the Township has followed these best practices
5	Yes	Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year's proposed budget including the full adopted budget for current year when approved by governing body; most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; easily accessible contact information for elected and appointed officials, municipal administrator or manager, municipal clerk, police chief, municipal court administrator and all department heads; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	
6	No	Does your municipality require its elected officials to attend on an annual basis at least one instructional course covering the responsibilities and obligations of elected officials (for example: ethics, municipal finance, labor relations, risk management, shared services, purchasing, land use administration, personnel, technology etcetera)? This item may be satisfied either through a course approved for continuing education credit by DLGS, or in-house education provided by a professional, vendor or staff member (provided they have significant expertise in their profession and routinely prepare public presentations).	

Best Practices Worksheet CY 2014/SFY2015

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	Answer	Question	Comments
7	Yes	With regard to your municipality's collective bargaining agreements that replaced contracts expiring on or after 1/1/11, is the overall impact of the aggregate economic costs limited to an average increase of 2% or less per year over the contract term? An example of such analysis can be found on the " <u>PERC Summary Form; Public Sector; Non-Police and Non-Fire; Section V Impact of Settlement</u> " and " <u>PERC Summary Form; Police and Fire; Section VII Impact of Settlement</u> "	
8	N/A	A municipality's participation in FEMA's <u>National Flood Insurance Program Community Rating System</u> can lead to significant flood insurance premium reductions for its homeowners. An explanation of the program may be found on FEMA's website at http://www.fema.gov/national-flood-insurance-program/national-flood-insurance-program-community-rating-system , and more information on how the NJDEP's statewide CRS coordinator can assist with improving your rating can be found at http://www.nj.gov/dep/floodcontrol/about.htm . <u>Does your municipality have, or is your municipality in the process of attaining, a Community Rating System ranking of at least Class 9?</u>	
9	N/A	If the ratio of assessed values to market values in your municipality is presently less than 65%, is your municipality in the process of conducting a reassessment or revaluation?	
10	Yes	The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Forms. While far more local officials are required to file Financial Disclosure Forms than simply local elected officials, their compliance is particularly important. <u>Have all of your local elected officials filed their Financial Disclosure Form in 2014 that covers the 2013 calendar year?</u>	

Best Practices Worksheet CY 2014/SFY2015

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	Answer	Question	Comments
11	N/A	Many municipalities have created one or more authorities (including fire districts, utilities authorities, redevelopment authorities, housing authorities, port authorities, etc.) to provide greater focus and attention on addressing a public need, or to reduce governing body burdens. While creation of such an authority is often appropriate, and many authorities successfully and efficiently fulfil their missions, authorities with weak membership or insufficient local-level monitoring can become wasteful, inefficient and unresponsive to the public they serve. <u>N.J.S.A. 40A:5A-20</u> allows a local governing body to dissolve an authority subject to certain parameters and with Local Finance Board approval. Municipalities should at least annually assess the authority or authorities they created and publicly discuss their findings and conclusions. Findings and conclusions should address whether the authority's continued existence is appropriate, and whether the authority is appropriately and efficiently serving its residents. <u>Does the governing body meet at least once annually to discuss an assessment of the authority or authorities they have created?</u>	
		Finance & Audit - FA	
12	Yes	Internal accounting control processes, procedures and authorizations are designed to safeguard assets and to limit the risk of loss or misstatement. <u>1) Are internal accounting control processes, procedures and authorizations documented and communicated to staff; and 2) Does your Administrator/Manager or CFO, as appropriate, evaluate and discuss risk assessment annually with your governing body or an appropriate subcommittee thereof (such as the Audit or Finance Committee) with a focus on developing and updating accounting control processes, procedures and authorizations? If you selected "yes", please state in the Comment section in the approximate date of the discussion and whether the discussion was with the governing body or, if with a subcommittee thereof, name the subcommittee.</u>	The Chief Financial Officer meets with the Mayor and Administrator to discuss these matters as appropriate. In addition to other dates throughout the year, the CFO, Adminisatrator and Mayor met on October 17, 2014 to discuss these topics.

Best Practices Worksheet CY 2014/SFY2015

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	Answer	Question	Comments
13	Yes	With respect to note sales (TANs, BANs, Emergency Notes and Special Emergency Notes), proper disclosure and communication with potential bidders can yield optimal results for a municipality. Knowing when to sell on a negotiated or competitive basis, aggregating note sales as much as possible, along with casting a "wide net" to attract the maximum number of bidders for a competitive note sale, is critical to achieving the lowest possible interest rate. <u>Is your municipality 1) marketing note sales beyond publishing the notice required by N.J.S.A. 40A:2-30, and beyond displaying a notice on your municipal website; and 2) issuing a prospectus, official statement or other document to potential lenders disclosing all material financial and budget information?</u>	Note sales for ther Township are open market bid withbids solicted to over 25 banking firms know to have interest. The Townhship has note sales annually in May, October and December in order to make isuances bank qualified, thereby decreasing interest rates. The Township regularly provides documentation to potential bidder, and prepares Official Statements when issues are over \$10,000,000.00.
14	Yes	Does your municipality have a Finance Committee (or equivalent) made up of one or more members of the governing body and other appropriate personnel, as may be needed, that meets at least monthly and discusses all significant financial issues? If you answer "Yes", phrase state in the Comment section the approximate date of your municipality's most recent Finance Committee meeting.	The Chief Financial Officer meets with the Mayor and Administrator to discuss these matters as appropriate
15	Yes	Audit findings address areas needing improvement. Ignoring these findings devalues the process; therefore, municipalities should correct noted deficiencies. <u>Have all audit findings from the 2012 audit been 1) identified in the corrective action plan and 2) addressed such that they are not repeated in the 2013 audit?</u> If the answer is no, please list the repeat findings in the comments section. In the event your municipality wishes to appeal the result of this question, the Director shall determine based on the comment(s) whether the finding(s) is/are sufficiently material to warrant a "no" answer.	The 2013 Audit is not completed yet but this is true for the 2012 audit.

Best Practices Worksheet CY 2014/SFY2015

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	Answer	Question	Comments
16	Yes	The CFO should be capable of preparing the annual financial statement, annual debt statement and budget schedules. Excessive auditor assistance on these documents could create a perception that the auditor is not truly independent of the client in auditing the client's financial statements. At a minimum, each CFO should prepare balanced and reconciled financial records including books of original entry, general ledgers, subsidiary ledgers and other computer reports that accurately analyze and reflect the municipality's financial position. These records should have sufficient detail for an accountant with sufficient knowledge of New Jersey's municipal accounting system to extract information necessary to prepare financial and debt statements. This requires that, within acceptable tolerance, all financial transactions (cash and non-cash) be posted in the general ledger and that all general ledger accounts be supported by subsidiary ledgers, reports, reconciliations or are otherwise analyzed. <u>A "yes" answer is appropriate if 1) your CFO prepares the annual financial statement, annual debt statement and annual budget, or 2) your CFO presents balanced and reconciled financial records, or 3) you are retaining outside assistance to do so from an individual or entity separate from your municipality's audit firm.</u> <i>Please note that item #2 cannot count as a "yes" answer if the Report of Audit contains comments and recommendations regarding the General Ledger or Cash Account balances not being reconciled.</i>	
17	Yes	Grant programs can create a significant burden on a municipality's cash flow if program expenses are either not timely reimbursed or are charged to other operating accounts instead of to the grant. Are all grant revenues, along with their corresponding appropriations, reviewed at least quarterly to determine that all program expenses have 1) been filed for reimbursement and 2) have been properly charged to the grant, with follow up communication to grantor agencies in instances where payments are delayed?	

Best Practices Worksheet CY 2014/SFY2015

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	Answer	Question	Comments
18	Prospective	<u>N.J.S.A. 40A:5-4</u> requires municipalities to complete their annual audit for the preceding fiscal year within 6 months after the close of its fiscal year. Further, <u>N.J.S.A. 40A:5-6</u> requires the municipality's auditor to submit a certified duplicate copy of the audit report and recommendations with the Division within 5 days after filing the original with the municipal clerk. <u>Has your municipality received its completed audit for the preceding fiscal year within the statutory timeframe, and confirmed that your auditor has filed a certified duplicate copy of the audit report with the Division?</u> You may only answer this question "N/A" if the Director expressly granted an extension in response to a governing body resolution petitioning for same.	
19	Yes	For its most recent audit period completed, has the municipality: 1) not had findings reported in the Schedule of Findings and Questioned Costs related to potential or actual questioned costs; or 2) not accrued a liability or made payment to a grantor for questioned costs or disallowed expenditures; or 3) not been notified of an amount that must be refunded to a grantor as a result of a contract audit or for any other reason?	
20	Yes	Pursuant to <u>N.J.S.A. 40A: 2-40</u> , the chief financial officer each municipality shall, before the end of the first month of the fiscal year, file their Annual Debt Statement with the Division of Local Government Services. The annual debt statement must be filed electronically following the procedure described in Local Finance Notice 2013-3. <u>Did your municipality file its electronic Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?</u>	

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0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
21	Yes	<u>Local Finance Notice 2014-09</u> contains important information about the need for municipalities that have certain outstanding debt to abide by requirements to annually disclose certain information with respect to financial conditions. The continuing financial disclosure obligations are required by federal law and local agreements executed as part of past issuances of debt. Failure to comply can result in penalties against local governments and individual officers responsible for various filings. Failure to comply can also result in a lack of access to capital markets. <u>Has your CFO done all of the following: (1) reviewed Local Finance Notice 2014-09; and (2) undertaken, or caused to be undertaken, a review of past compliance with such requirements?</u>	
22	Prospective	Is your municipality up to date and fully compliant with continuing disclosure obligations as discussed in the previous question?	
		Procurement - P	
23	No	Municipalities and their agencies are allowed to prohibit the award of public contracts to business entities that have made certain campaign contributions exceeding \$300 and to limit the contributions that the holders of a contract can make during the term of a contract to \$300. A model ordinance concerning pay-to-play can be found at http://www.nj.gov/dca/divisions/dlgs/resources/muni_st_docs/pay_to_play_ordinance-contractor.doc. <u>Has your municipality adopted a pay-to-play ordinance pursuant to N.J.S.A. 40A:11-51 that is more restrictive than state statutory requirements?</u>	
24	Yes	Changes in energy markets could potentially offer substantial savings for local governments. <u>Local Finance Notice 2012-12</u> provides important guidance on the competitive procurement of energy. <u>Has your CFO, head purchasing official or other appropriate municipal official evaluated and discussed with your governing body (or an appropriate subcommittee thereof) whether the cooperative or competitive procurement of energy would benefit your municipality? If you answer "Yes", please state in the Comment section the approximate date of the discussion and whether the discussion was with the governing body or, if with a subcommittee thereof, name the subcommittee. You may only answer "N/A" if your municipality already participates in competitive energy procurement.</u>	It is discussed during the budget hearings in February. Additionally, West Orange has awarded an electric power option for its residents to save utility costs based on a competitive bid process.

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	Answer	Question	Comments
25	Yes	The Local Finance Board recently adopted new rules, outlined in <u>Local Finance Notice 2013-17</u> , expanding municipalities' ability to purchase goods and services with procurement cards. The most significant change is the elimination of the prior per-transaction monetary limitation on P-Cards (15% of local unit's bid threshold) where a Qualified Purchasing Agent manages a local unit's P-Card program. Has your CFO, head purchasing official or other appropriate municipal official evaluated and discussed with your governing body (or an appropriate subcommittee thereof) how and whether a procurement card program could benefit the municipality or, if a procurement card program already exists, whether the program complies with the new regulations? If you answered "Yes", please state in the Comment section in the approximate date of the discussion and whether the discussion was with the governing body or, if with a subcommittee thereof, name the subcommittee. If your municipality has a procurement card program, please name the vendor in the Comment section.	The Chief Financial Officer meets with the Mayor and Administrator to discuss these matters as appropriate. In addition to other dates throughout the year, the CFO, Administrator and Mayor met on October 17, 2014 to discuss these topics.
26	N/A	P.L. 2013, c. 37, known as the "Sandy Integrity Monitor Law", requires the State Treasurer to assign monitors to recovery and rebuilding-related contracts \$5 million or above, and grants the Treasurer discretion to assign monitors on contracts below \$5 million. Pursuant to authority granted under the law, all Sandy-related recovery and rebuilding contracts over \$2 million awarded by local governments must be reported to the State Department of Treasury. Please access Treasury's Sandy website at http://www.state.nj.us/treasury/news-sandy.shtml for more information on your municipality's responsibilities under the Sandy Integrity Monitor Law. <u>Has your municipality reported all Superstorm Sandy-related contracts over \$2 million to the State Treasurer?</u>	

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	Answer	Question	Comments
27	Yes	N.J.S.A. 40A:11-5 (a)(i) states that, if a municipality utilizes the professional services exemption from the Local Public Contracts Law, "The governing body shall in each instance state supporting reasons for its action in the resolution awarding each contract and shall forthwith cause to be printed once, in the official newspaper, a brief notice stating the nature, duration, service and amount of the contract, and that the resolution and contract are on file and available for public inspection in the office of the clerk of the [] municipality...". <u>With respect to the award of professional services contracts, is your municipality complying with the above referenced provision of the Local Public Contracts Law?</u>	
		Budget Preparation and Presentation - BP	
28	Yes	In preparing your annual budget it is important for both the governing body and public to understand the concept of surplus and how it accumulates (or declines) over the years. A formal policy regarding surplus serves as a basis for decisions concerning future financial solvency, and the lack of a policy could lead bond rating agencies to downgrade your municipality's credit rating. In developing said surplus policy your CFO should analyze and explain at least a five-year trend of surplus; illustrating the factors causing each annual increase or decrease. A surplus policy with realistic and sustainable goals can then be determined. <u>Does your municipality have a written policy goal for the amount of surplus available in support of municipal operations, and is this goal evaluated annually?</u>	
29	Yes	In preparing your annual budget for the current year, it is important that the impact that current budgeting decisions may have on future years' budgets be presented, evaluated and considered before the governing body takes final action. Long term plans concerning revenue, appropriations, tax levy, tax levy cap and surplus are critical to sustaining (or achieving) a solid fiscal condition. <u>Are budget projections 1) factoring in the impact that the current year's budget may have on the future tax levy (as restricted by the levy cap) and future surplus balances for at least two future year's budgets, and 2) are these budget projections discussed with the governing body?</u>	The Chief Financial Officer meets with the Mayor and Administrator to discuss these matters as appropriate.

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0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
30	N/A	Certain municipalities have indirectly pledged prompt payment (i.e. issued a guarantee) of debt service with respect to debt issued by counties, independent authorities or developers. Bond Rating Agencies (e.g. Moody's, Fitch, Standard & Poor's) have downgraded certain municipalities' bond ratings to below investment grade for lack of preparation in the event a lender calls in a debt guarantee. <u>If your municipality guarantees any debt, are direct service revenues that may be pledged against debt repayment monitored by the municipal CFO; and to the extent that cash flow from pledged revenue will not satisfy the debt repayment, are sufficient funds held in reserve to satisfy the guarantee or is an existing authorization in place to issue debt (e.g. a bond ordinance) in the event a lender calls in the guarantee?</u>	
31	Yes	Do elected officials receive a written status report at least quarterly on all budget revenues and appropriations as they correspond to the annual adopted budget?	
32	Yes	In developing your multi-year capital plan, is your municipality dedicating sufficient revenues to fund maintenance, repair and eventual replacement of infrastructure such as roads, storm sewers, sanitary sewers and water systems?	
33	Yes	<u>N.J.S.A. 40A:4-5</u> requires that calendar year municipalities approve their introduced budgets no later than February 10, unless the Director sets forth a later date pursuant to <u>N.J.S.A. 40A:4-5.1</u> . Did your municipality approve its introduced current year budget no later than the date provided by law or as extended by the Director?	
34	Yes	<u>N.J.S.A. 40A:4-10</u> requires that calendar year municipalities adopt their budgets no later than March 20, unless the Director sets forth a later date pursuant to <u>N.J.S.A. 40A:4-5.1</u> . Did your municipality adopt its current year budget no later than the date provided by law or as extended by the Director? This question may only be answered "N/A" if your municipality delayed its budget adoption because it awaited a Division determination concerning a grant award or Transitional Aid award.	

Best Practices Worksheet CY 2014/SFY2015

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0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
		Health Insurance - HI	
35	Yes	Does your municipality exclude from healthcare coverage part-time elected and appointed officials (less than 35 hours per week)? Only answer "yes" if no part-time elected or appointed officials receive health benefits. If your municipality has part-time elected or appointed officials who elect to take State Health Benefits Program (SHBP) health benefits (or receive a waiver for not doing so) by virtue of serving in their position continuously since May 21, 2010, you must answer "No". If you answered "No", please list in the Comments section the name and title of each elected or appointed official receiving either health benefits or a waiver payment in lieu of health benefits.	
36	Yes	Does your municipality conduct a monthly review of health benefit covered lives itemized on health insurance invoices to determine that health insurance invoices do not include employees, former employees, spouses or dependents who should no longer be receiving coverage?	
37	Yes	Municipalities frequently contract with or designate insurance brokers to secure healthcare coverage from insurance carriers. Brokers are typically paid by third-party administrators (TPA's) hired to collect, review and pay healthcare bills. The municipality pays the TPA, who in turn pays the broker. Broker fees are often directly related to the amount of insurance premiums or fees paid by the municipality (i.e. the higher the premium, the larger the broker's commission). Thus, the municipality-broker-TPA arrangement is vulnerable to abuse because brokers could face conflicting incentives in seeking lower-cost insurance alternatives. <u>If your municipality contracts with or otherwise designates an insurance broker, is the structure for broker payments set at a flat-fee rather than on a commission basis (so as to mitigate the risk of brokers recommending more expensive insurance coverage to earn higher fees)?</u>	A flat fee per employee covered.

Best Practices Worksheet CY 2014/SFY2015

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	Answer	Question	Comments
38	Yes	The State Health Benefits Program (SHBP) offers medical, prescription and dental coverage options for more than 850,000 participants, including employees, dependents and retirees. All plans have substantial networks of healthcare providers, and provide services nationwide. 62% of municipalities, and 33% of counties, within New Jersey participate in SHBP. <u>If your municipality has non-SHBP coverage, as your collective bargaining agreements come up for renegotiation, do your municipality's negotiation proposals seek contract provisions allowing its employees to be switched to SHBP or another non-SHBP plan of lesser cost?</u>	
39	Prospective	Prior to municipal officers and employees being required to substantially share in the cost of their health benefits, there was no disincentive to officers and employees accepting coverage even though they had alternative coverage. Many municipalities would offer payments in lieu of health benefits to encourage officers and employees to voluntarily drop coverage, provided they had coverage from another source. The policy often saved money by replacing the expensive cost of providing health care with the less expensive payment in lieu of health benefits. The need to pay officers and employees money to not take a health insurance benefit they can receive from another source has largely disappeared, because the cost of premium sharing will cause officers and employees to drop coverage if alternative coverage is available. <u>Has your municipality: (1) explored all necessary actions to end payments in lieu of health benefits (e.g. modifying collective bargaining agreements); and (2) either adopted or discussed at a public meeting a policy prohibiting payments in lieu of health benefits to officers and employees who are not contractually entitled to such payments?</u> An answer of "N/A" is only applicable where there are no instances in the municipality of payments in lieu of health benefits.	

Best Practices Worksheet CY 2014/SFY2015

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0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
		Personnel - PE	
40	Yes	The Fair Labor Standards Act (FLSA) is a federal law that establishes minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local governments. The law requires that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, municipal managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and are not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (you should consult with your labor counsel for more detailed guidance). <u>Does your municipality refrain from paying overtime to employees who are classified as exempt under the FLSA?</u> <i>In answering this question, be aware that exempt status would also preclude overtime pay for time worked during emergencies, attendance at night meetings, participation in training sessions, and police "off-duty" assignments (a/k/a "Jobs in Blue"). Also, please note that compensated leave time in lieu of cash payments is considered to be a form of overtime pay unless such leave is utilized in the same pay period.</i>	
41	Yes	N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us. <u>Has your municipality filed all current contracts with PERC?</u>	
42	Yes	Does your municipality make available to the public free of charge, either through an internet posting or on-site review, documents that show the current salaries of all personnel?	

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	Answer	Question	Comments
43	Yes	Accurate records of employee time are critical not only for financial accountability, but also effective management of your workforce. Is your municipality ensuring that 1) employees complete and file standardized forms, either electronically or by paper, to verify all employee time worked (e.g. time cards, electronic time keeping); 2) your personnel/human resources office maintains records accounting for all employee leave time earned and used; and 3) supervisors are reviewing and approving/denying employee time and attendance documentation before those records are submitted to management and, in the case of department heads, is such documentation reviewed and verified independently?	
44	Yes	Has your municipality instituted a policy to not compensate employees for sick leave accumulated after a certain date?	New non-uniformed unionized employees no longer can accrue sick leave for retirement benefit

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0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
45	Yes	Does your municipality have a transitional duty program (light duty) to encourage employees out on workers compensation to return to work?	
46	Prospective	The State Workers Compensation Law provides that, when an employee receives a work-related injury producing temporary disability, the employee is entitled to wage-continuation equal to 70% of the employee's weekly wages, subject to a maximum compensation as determined by the Commissioner of Labor. <u>Does your municipality limit benefits for work-related injuries to the above statutory benefit?</u> The answer to this question can be "prospective" if such a provision was imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining.	
47	N/A	The weekly benefit rate provided under the State Temporary Disability Law for a non-work-related injury is calculated on the basis of claimant's average weekly wage. Each claimant is paid 2/3 of their average weekly wage up to the maximum amount payable, which is \$595 for disabilities beginning on or after 1/1/13. <u>Does your municipality refrain from supplementing the Temporary Disability benefit?</u> The answer to this question can be "prospective" if such a provision was imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining. Only answer "N/A" if your municipality does not participate in the State Temporary Disability Program.	The Township does not participate in the State's temporary disability program.
48	Yes	Has your municipality adopted an ordinance, resolution, regulation or policy eliminating longevity awards, bonuses or payments for non-union employees?	
49	Prospective	For any employees covered by a collective bargaining agreement, has your municipality eliminated longevity awards, bonuses or payments for employees hired on or after a specified date, and refrained from increasing longevity awards, bonuses or payments for employees hired before a specified date? The answer to this question can be "prospective" if such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining.	While some union contracts still call for longevity, newly hired non-uniformed employees do not accrue longevity payments.

Best Practices Worksheet CY 2014/SFY2015

		West Orange Township (Essex)	
0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
50	Prospective	Employee personnel manuals or handbooks serve as a valuable tool to convey a municipality's policies, procedures and benefits. Many insurance carriers encourage the adoption of such a document and offer discounted rates for their use. These publications should review employees' rights and obligations in areas ranging from discrimination, safety, violence, and harassment to vacation and sick days, holidays, use of township vehicles, smoking and political activity, among others. <u>Has your municipality adopted or updated an employee personnel manual/handbook by resolution or ordinance within the last five years? If yes, please provide in the Comments section the date of the meeting during which the personnel manual was adopted.</u>	
0		Select	
35		Yes	
3		No	
6		N/A	
6		Prospective	
50		Total Answered:	
47		Score (Yes + N/A + Prospective)	
94%		Score %	
0%		Percent Withheld	
		Chief Administrative Officer's Certification	
		I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.	Certification #(s)
		Name & Title	Date
		John Sayers	10/17/2014
		Chief Financial Officer's Certification	
		I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.	Certification #(s) N0451
		Name	Date

Best Practices Worksheet CY 2014/SFY2015

		West Orange Township (Essex)	
0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
	Answer	Question	Comments
		John O. Gross	10/17/2014
		Municipal Clerk's Certification	
		I hereby certify that the Governing Body of the Township of West Orange in the County of	
		Essex will discuss the CY 2014/SFY 2015 Best Practice Inventory as	
		completed herein at a public meeting on November 10, 2014, with the Inventory results, and the	
		certification thereof by the Chief Administrative and Chief Financial Officers, respectively, to	Certification #(s) C-1350
		be stated in the minutes of said public meeting.	
		Name	Date
		Karen Carnevale	10/17/2014

Best Practices Worksheet CY 2014/SFY2015

		West Orange Township (Essex)																							
0722		<i>Please see Color Key at bottom of sheet for limits on answers</i>																							
	Answer	Question			Comments																				
		Red = Repeat Question; Prospective answers not permitted																							
		Blue = Questions where neither "not applicable" nor "N/A" answers are permitted																							
		Green = Repeat questions where neither "Prospective" nor "Not Applicable" are permitted																							
		No Color = "Yes"; "No"; "Prospective" and "Not Applicable" are all permissible answers																							
		<table border="1"> <thead> <tr> <th># of Questions scored yes, prospective, or "not applicable"</th> <th>Amount of Aid Disbursed</th> <th>Impact on final 5% aid payment/impact on total aid</th> </tr> </thead> <tbody> <tr> <td>41-50</td> <td>100%</td> <td>No penalty</td> </tr> <tr> <td>33-40</td> <td>80%</td> <td>Lose 20% which equals 1% of total aid</td> </tr> <tr> <td>25-32</td> <td>60%</td> <td>Lose 40% which equals 2% of total aid</td> </tr> <tr> <td>17-24</td> <td>40%</td> <td>Lose 60% which equals 3% of total aid</td> </tr> <tr> <td>9-16</td> <td>20%</td> <td>Lose 80% which equals 4% of total aid</td> </tr> <tr> <td>0-8</td> <td>0%</td> <td>Lose 100% which equals 5% of total aid</td> </tr> </tbody> </table>	# of Questions scored yes, prospective, or "not applicable"	Amount of Aid Disbursed	Impact on final 5% aid payment/impact on total aid	41-50	100%	No penalty	33-40	80%	Lose 20% which equals 1% of total aid	25-32	60%	Lose 40% which equals 2% of total aid	17-24	40%	Lose 60% which equals 3% of total aid	9-16	20%	Lose 80% which equals 4% of total aid	0-8	0%	Lose 100% which equals 5% of total aid		
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0-8	0%	Lose 100% which equals 5% of total aid																							
	Question	Table of Weblinks																							
	4	http://nj.gov/comptroller/news/docs/press_local_government_legal_fees.pdf																							
	7	http://www.state.nj.us/perc/Collective Bargaining Agreement Summary Form Police and Fire 2012.04.02 Instructions and Example .pdf																							
	7	http://www.state.nj.us/perc/Collective Bargaining Agreement Summary Form Non-Police and Non-Fire 2012.04.02 Instructions and Example .pdf																							
	8	http://www.fema.gov/national-flood-insurance-program/national-flood-insurance-program-community-rating-system																							
	8	http://www.nj.gov/dep/floodcontrol/about.htm																							
	20	http://www.nj.gov/dca/divisions/dlgs/lfns/13/2013-3.pdf																							
	21	http://www.nj.gov/dca/divisions/dlgs/lfns/14/2014-09.pdf																							
	23	http://www.nj.gov/dca/divisions/dlgs/resources/muni_st_docs/pay_to_play_ordinance-contractor.doc																							
	24	http://www.nj.gov/dca/divisions/dlgs/lfns/12/2012-12.pdf																							
	25	http://www.nj.gov/dca/divisions/dlgs/lfns/13/2013-17.pdf																							
	26	http://www.state.nj.us/treasury/news-sandy.shtml																							

AGENDA
Monday, November 10, 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-Girl Scout Cadets (Edison Middle School) and St. Cloud Elementary School Daisies (kindergarten and 1st graders)**
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** - – Executive Session Minutes-August 21, 2012, November 27, 2012, January 22, 2013, February 19, 2013, March 5, 2013, March 19, 2013, May 7, 2013, August 20, 2013, September 17, 2013 and October 1, 2013
6. ***Report of Township Officers-None**
7. ***Reading of Petitions and Communications and Bids**-Letter from Mayor Parisi for advice and consent of the Township Council to re appoint Joseph Riopel to the West Orange Public Library Board effective January 1, 2015 and continuing through December 31, 2019.
8. ***Bills**
9. ***Resolutions**
 - a. 193-14 Resolution Certifying the West Orange Arts Council's Non Profit 501-C3 Corporation as a Fully Endorsed Non Profit Eligible for Insurance Coverage Under the Township's Participation in the Garden State Municipal Joint Insurance Fund
 - b. 194-14 Resolution Granting Approval to Submit a Grant Application and Execute a Grant Contract with the NJ Department of Transportation for the 2015 Improvements to Various Streets Projects-Belgrade Terrace (between Bradford Ave. & Club Blvd.) and Cherry Street (between Harrison Ave. and Franklin Ave.)
 - c. 195-14 Resolution Authorizing a Refund of Duplicate Payment of Taxes
 - d. 196-14 Resolution to Award a One Year Service Contract for Snow Plowing and Removal Services for the year(s) 2014-2015 to the Vendors listed on Schedule A.
 - e. 197-14 Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey

- f. 198-14 Resolution Awarding a Contract for the Providing of Recreational Hockey Services to the Residents of West Orange for the Period of January 1, 2014 – December 31, 2014 in the Amount of \$10,000. for Mountain Top League
- g. 199-14 Resolution Appointing Thomas Belli, West Orange Fire Captain as Municipal Fire Official for a Three (3) Year Term Effective December 1, 2014 and Expiring on November 30, 2017
- h. 200-14 Resolution Authorizing an Abandoned Car Auction
- i. 201-14 Resolution Awarding a Contract for the Providing of Recreational Services and Social Services for the Senior Citizens of West Orange for the Period of January 1, 2014 – December 31, 2014 in the Amount of \$2,000. to Pleasantdale Senior Citizens, JCC Council Senior Citizens, The John P. Renna House, Eagle Rock Senior Citizens, Woodland Valley Senior Social Gathering, Women's Club, Prime Timers and the Knitting Club
- j. 202-14 Resolution Amending Resolution 18-14, Emergency Temporary Appropriation Resolution for the Purpose of Funding Eminent Tax Appeals NJSA 40A:4-20
- k. 203-14 Resolution Authorizing Raffle License(s)

10. Ordinances on Second and Final Reading-None

11. Ordinances on First Reading

- a. 2429-14 An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-12, Parking Prohibited for Street Cleaning and Maintenance Subsection 7-14.1c, Night Parking Restricted on Certain Streets and Subsection 7-14.7, Alternate Side Parking, of the Revised General Ordinances of the Township of West Orange-Cary Street
- b. 2430-14 An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-19, Through Streets, of the Revised General Ordinances of the Township of West Orange-Lincoln Avenue
- c. 2431-14 An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-20, Stop Intersections, of the Revised General Ordinances of the Township of West Orange – James Court and Alan Street and Mountain Drive and Highwood Road

12. ABC Hearing-None

13. Adjournment

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

Agenda is subject to change.

**RESOLUTION CERTIFYING THE WEST ORANGE ARTS COUNCIL'S NON-PROFIT
501-C3 CORPORATION AS A FULLY ENDORSED NON-PROFIT ELIGIBLE
FOR INSURANCE COVERAGE UNDER THE TOWNSHIP'S PARTICIPATION
IN THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND**

Whereas, The Township Council of the Township of West Orange (the "Township") participates in the Garden State Municipal Joint Insurance Fund ("GSMJIF"); and

Whereas, the GSMJIF insures non-profits fully endorsed by the Township; and

Whereas, the GSMJIF requires the Township to certify such endorsement by resolution; and

Whereas, the Township desires to provide insurance coverage for the West Orange Arts Council's non-profit 501-c3 corporation;

Therefore, be it resolved, that the Township does hereby certify that the West Orange Arts Council's non-profit 501-c3 corporation is a fully endorsed non-profit eligible for insurance coverage under the Township's participation in the GSMJIF.

**Karen J. Carnevale , Township Clerk
President**

Susan McCartney , Council

Adopted: November 10, 2014

Township of West Orange

Resolution No. 194-14

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2015 Improvements to Various Streets project.

NOW, THEREFORE, BE IT RESOLVED that Council of the Township of West Orange formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Township Council, Township Grant Writer and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-2015 Improvements to Various Streets-00262 to the New Jersey Department of Transportation on behalf of the Township of West Orange requesting \$590,000.00 for improvements to the following streets: Belgrade Terrace (between Bradford Avenue and Club Boulevard) and Cherry Street (between Harrison Avenue and Franklin Avenue).

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Orange and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this _____ day of _____, 20_____

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

DUPLICATE PAYMENT 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
Township Chief Financial Officer

195-14
November 10, 2014

Attachment for Duplicate Resolution

Block	Lot	Name	Address	Amount
<u>Type</u>				
159.05 Sewer	30	Charles & Veronica Anokute	31-33 Rock Spring Road	\$185.11
22	40	Azieb Michael	82 Riggs Place	
		\$1771.97 Tax		

Total: \$1957.09

**AWARD CONTRACT FOR SNOW PLOWING AND REMOVAL SERVICES
YEARS 2014-2015**

WHEREAS, the Township of West Orange has advertised for bids, pursuant to the New Jersey Local Public Contracts Law (N.J.S.A.40A:11-1) for Snow Plowing and Removal Services for year(s) 2014-2015 and received bids on September 25, 2014. Consequently the bids received were rejected through resolution due to the high cost and limited response to the snow plowing options; and

WHEREAS, a re-bid was advertised and received October 30, 2014 and six vendors submitted rates for many of the options listed in the specification; and

WHEREAS, the West Orange Department of Public Works has reviewed the bids received and has recommended that five of the vendors be awarded the Option 1 and 4 portion of the specification. These options represent specific snow plowing routes and snow removal equipment. The Option 2 and 3 portion of the specification will be considered for award separately; and

WHEREAS, hereto is attached Schedule A listing the vendors with the services and rates to be provided.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of West Orange hereby award a one year service contract for Snow Plowing and Removal Services for the year(s) 2014-2015 to the following vendors listed on Schedule A.

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

I hereby certify funds are available from:

Account: 01-2010-00-7502-113 (Salt, Chloride & Snow)

2014 not exceed \$100,000.00

2015 not exceed \$225,000.00 subject to 2015 budget appropriation

John O. Gross, Chief Financial Officer

SCHEDULE A

VENDOR SUBMISSION LIST	AWARD	YES/NO
Artic Services 5 Beechwood Road East Hanover, New Jersey 07936		Yes
Grabowski Construction Inc. 77 Northfield Avenue West Orange, New Jersey 07052		Yes
Shauger Property Service, Inc. 429 Dodd Street East Orange, New Jersey 07017		Yes
Greenscape Landscape Contractors, Inc. 119 S Easton Road Glenside, Pennsylvania 19038		Yes
Pugliese Pool Service, Inc. 15 Standish Avenue West Orange, New Jersey 07052		No
Downes Tree Service, Inc. 65 Royal Avenue Hawthorne, New Jersey 07506		Yes

Option 1, Snow Plow Routes:

1A-1, the Valley, F-450 truck - Grabowski Construction, \$200 per hour 1A-2, the Valley,
F-700 truck - No award

1B-1, the Heights, F-450 truck - Downes Tree Service, \$275 per hour 1B-2, the Heights,
F-700 truck - Downes Tree Service, \$275 per hour

1C-1, Merklin District, F-700 truck - Downes Tree Service, \$275 per hour

1D-1, the Korwel, Oaks, Dogwood, F-700 truck, Grabowski Construction, \$225 per hour

Option 4, Equipment for Plowing, Loading and Hauling:

4A - Single Axle Truck, 26,000 GVWR, with Plow: Downes Tree Service, \$275 per hour Greenscape, \$300 per hour	Arctic, \$215 per hour Downes Tree Service, \$125 per hour Grabowski Construction, \$140 per hour Greenscape, \$250 per hour Shauger Property Services, \$180 per hour
4B - Tandem Axle Truck with Plow: Downes Tree Service, \$300 per hour Greenscape, \$375 per hour	4BD - Triaxle Truck: Arctic, \$225 per hour Downes Tree Service, \$125 per hour Grabowski Construction, \$140 per hour Greenscape, \$350 per hour Shauger Property Services, \$195 per hour
4C - Single Axle Truck, 12,000 GVWR with plow: Downes Tree Service, \$275 per hour Greenscape, \$275 per hour	
4BA - 20 CY Roll offs: Arctic, \$225 per hour Downes, \$125 per hour Greenscape, \$250 per hour	4BE - Front End Loaders, 2.5 CY bucket: Arctic, \$325 per hour Downes Tree Service, \$220 per hour Grabowski Construction, \$250 per hour Greenscape, \$280 per hour Shauger Property Services, \$225 per hour
4BB - 30 CY Roll offs: Arctic, \$225 per hour Downes, \$125 per hour	
4BC - Tandem Axle Truck: Greensscape \$250.00 per hour	

2014-2015 SNOW BIDS	ARCTIC	DOWNES	GRABOWSKI	GREENSCAPE	PUGLIESE	SHAUGER
OPTION 1 ROUTES						
1A-1 VALLEY F450	NO BID	275	200	290	NO BID	NO BID
1A-2 VALLEY F700	NO BID	275	NO BID	290	NO BID	NO BID
1B-1 HEIGHTS F450	NO BID	275	NO BID	290	NO BID	NO BID
1B-2 HEIGHTS F700	NO BID	275	NO BID	290	NO BID	NO BID
1C-1 MERKLIN etc.	NO BID	275	NO BID	320	NO BID	NO BID
1D-1 OAKS etc.	NO BID	275	225	320	NO BID	NO BID
OPTION 2 LOTS						
2A 9' plow 3cy. Spr.	160 (4 TRUCKS)	275 (3 TRUCKS)	NO BID	250 (1 TRUCK)	250 (2 TRUCKS)	180 (2 TRUCKS)
2B 1.5cy min.	250 (7 LOADERS)	125 (7 LOADERS)	NO BID	105 (1 SKID STR.)	275 (1 LOADER)	225 (2 LOADER)
TOTAL 2 ITEMS	410	400			525	405
OPTION 3 WALKS, etc.						
3A snow blower +2	NO BID	125X4=500	NO BID	400X4=1600	NO BID	NO BID
3B backpack +2	NO BID	50X4=200	NO BID	150X4=600	NO BID	NO BID
3C tractor +2	NO BID	150X4=600	NO BID	400X4=1600	NO BID	NO BID
3D lump sum	NO BID	1300	NO BID	3800	NO BID	NO BID
3D-1 <4"	NO BID	1900	NO BID	3000	NO BID	NO BID
3D-2 4" to 8"	NO BID	2500	NO BID	3500	NO BID	NO BID
3D-3 8" to 12"	NO BID	3800	NO BID	4000	NO BID	NO BID
3D-4 12" to 18"	NO BID	6150	NO BID	4500	NO BID	NO BID
3D-5 >18"	NO BID	7950	NO BID	5000	NO BID	NO BID
TOTAL 1	NO BID	22300	NO BID	20000	NO BID	NO BID
TOTAL 2	NO BID	23600	NO BID	23800	NO BID	NO BID
OPTION 4A & 4B						
4A	NO BID	275 (3 SINGLE)	NO BID	300 (1 SINGLE)	NO BID	NO BID
4B	NO BID	300 (3 TANDEM)	NO BID	375 (1 TANDEM)	NO BID	NO BID
4C	NO BID	275 (3 MASON)	NO BID	275 (1 MASON)	NO BID	NO BID
4BA	225 (4X20 YD.)	125 (2X20 YD.)	NO BID	250 (1X20 YD.)	NO BID	NO BID
4BB	225 (4X30 YD.)	125 (2X30 YD.)	NO BID	250 (1X30 YD.)	NO BID	NO BID
4BC	215 (2 TANDEM)	125 (2 TANDEM)	140 (2 TANDEM)	250 (1 TANDEM)	NO BID	180 (1 TANDEM)
4BD	225 (10 TRI-AX)	125 (2 TRI-AX)	140 (1 TRI-AX)	350 (1 TRI-AX)	NO BID	195 (3 TRI-AX)
4BE	325 (3X3 YD.)	220 (3 LOADERS)	250 (6 LOADERS)	280 (1 LOADER)	NO BID	225 (4 LOADER)

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

WHEREAS, final judgment on tax appeals has been rendered by the Tax Court of New Jersey on the petitions of the taxpayers listed on the attached schedule reducing the assessment for the years

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

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

SEE LIST ATTACHED

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

**TAX COURT JUDGMENT
RESOLUTION 197-14**

	DATE	BLOCK	LOT	QUAL	OLD VALUE	NEW VALUE	DIFFERENCE	TX RATE	REFUND AMOUNT	TO BE APPLIED
2011	8/22/2014	159.08	56		5191500	4900000	291500	0.03481	\$10,147.12	
2013	8/22/2014	166.15	11.04	C0111	773700	725000	48700	0.03648	\$1,776.58	
2014	8/22/2014	166.15	11.04	C0111	773700	725000	48700	0.03742		\$1,822.35
2013	8/22/2014	178.48	51	C0262	360200	301000	59200	0.03648	\$2,159.62	
2014	8/22/2014	178.48	51	C0262	360200	301000	59200	0.03742		\$2,215.26
2008	8/22/2014	155	26		2638600	1945000	693600	0.12126	\$84,105.94	
2010	8/22/2014	165	18		475000	375000	100000	0.12983	\$12,983.00	
2010	8/22/2014	176.05	10		400000	350000	50000	0.12983	\$6,491.50	
2013	9/12/2014	106	20.03		1783900	1600000	183900	0.03648	\$6,708.67	
2014	9/12/2014	106	20.03		1783900	1550000	233900	0.03742		\$8,752.54
2014	9/12/2014	109	1.01	C0060	399200	375000	24200	0.03742		\$905.56
2012	12/13/2013	105	4	C0115	274400	260000	14400	0.03544	\$510.34	
2013	9/12/2014	62	32		956500	795000	161500	0.03648	\$5,891.52	
2013	8/8/2014	84.01	22		2859600	1500000	1359600	0.03648	\$49,598.21	

\$180,372.48

RESOLUTION

WHEREAS, the Township of West Orange seeks to award a contract for the providing of recreational hockey to the residents of the Township of West Orange, and for the period commencing January 1, 2014 and ending December 31, 2014; and

WHEREAS, the Township's Mountain Top League, is willing to provide such services, including, but not limited to organizing

recreational hockey activities in the Township; and

WHEREAS, the aggregate of public funds to be expended for the provision of such services is Ten Thousand (10,000.00) Dollars and therefore, no public advertisements for the bids is required;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that the Mayor and Township Clerk be and hereby are respectively authorized to execute and attest to the annexed contract for the provision of recreational hockey services to the residents of the Township of West Orange.

Karen J. Carnevale
Township Clerk

Susan McCartney
Council President

Adopted: November 10, 2014

AGREEMENT

THIS AGREEMENT, made this day of 2014, by and between:

TOWNSHIP OF WEST ORANGE, a municipal corporation of the State of New Jersey, having its principal offices at 66 Main Street, West Orange, New Jersey, hereinafter referred to as "Township"; and

MOUNTAIN TOP LEAGUE, a nonprofit corporation of the State of New Jersey having its principal offices at 12 Old Indian Road, West Orange, New Jersey, hereinafter referred to as "MTL."

W I T N E S S E T H:

WHEREAS, the Township desires to provide certain recreational hockey services to the residents of the Township of West Orange; and

WHEREAS, it is the purpose of this agreement to recite the terms and conditions under which the foregoing shall be provided; and

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants hereinafter stated, the parties do hereby agree as follows:

1. For the period of January 1, 2014 to December 31, 2014 Contractor shall provide and make available to West Orange residents, recreational hockey services for participation by such residents of West Orange.

2. The referenced services shall be supervised and operated by personnel provided by MTL, whose personnel shall be solely the employees and volunteers of MTL who is responsible to pay them, where appropriate, at the sole discretion of MTL.

3. MTL shall provide, at MTL's expense, Workers Compensation Insurance, covering its employees performing hereunder, and public liability insurance with limits of Five Hundred Thousand (\$500,000.00) Dollars to One Million (\$1,000,000.00) Dollars for the areas and locations where the recreational facilities are conducted. Said insurance shall name the Township as an insured and shall be with carriers satisfactory to the Township and authorized to do business in New Jersey. Certificates evidencing the foregoing shall be furnished to the Township upon execution of this Agreement.

4. MTL agrees to indemnify the Township and hold it harmless, including Township's employees, agents and servants, from and against any and all losses, claims, liabilities and expenses which may arise or be claimed against the Township, its agents, servants or employees in connection with any phase of this Agreement.

5. Neither this Agreement nor the monies granted hereunder may be assigned.

6. MTL acknowledges that it has ~~read~~ N.J.S.A. 10:2-1, et seq., of the Revised Statutes of the State of New Jersey (Discrimination in Employment on Public Works, Contract Provisions), the terms of which are incorporated herein as though expressly set forth at length. MTL agrees to comply with and be bound by the provisions thereof to the extent held applicable to volunteer organizations.

7. It is understood that this Agreement shall be deemed effective as of January 1, 2014.

8. Township shall pay to MTL, for the services to be provided hereunder for the full one-year term, the sum of Ten Thousand (\$10,000.00) Dollars.

9. The manner of payment shall be as determined jointly by the President of MTL and Director of the Department of Recreation of Township.

10. The parties hereto agree that the provisions of the "New Jersey Prevailing Wage Act" shall apply hereto the extent held applicable to a volunteer organization. Accordingly, MTL agrees to comply with the provisions of N.J.S.A. 34:11-56.25 through 34:11-56.33, the provisions of which are hereby incorporated by reference as though stated at length herein. MTL hereby declares that it is aware of the prevailing wage rates on file in the Township Hall of the Township pursuant to said Act, and agrees to comply

therewith to the extent held applicable to volunteer organizations. MTL further agrees as follows:

- A. All covered employees of MTL performing services hereunder shall be paid not less than the prevailing wage rate as specified.
- B. MTL shall maintain accurate records, showing name, kind of work performed and actual hourly rate of wage paid to each covered employee employed hereunder. Such records shall be maintained for three (3) years from date of payment and shall be available for inspection by the Township's Business Administrator or his designee on request.
- C. MTL shall post the prevailing wage rate for each covered employee performing worker hereunder, as determined by the Commissioner of Labor and Industry of the State of New Jersey, including the effective date of any changes thereof, in a prominent and easily accessible place and the principal Offices of MTL.
- D. If it is found that any covered employee of MTL is paid less than the required wage rates Township may, on written notice to MTL terminate MTL's rights to proceed hereunder, or as to such portion of services rendered hereunder as to which there has been a failure to pay the required wages. Township may then arrange to prosecute the rendering of the services hereunder by other means, in which event MTL shall be liable to the

Township for costs and damages incurred by the Township.

E. It is specifically understood that the provisions of this paragraph shall not apply to such persons engaged by Contractor to render services hereunder who are performing such services as volunteers with out remuneration.

F. MTL agrees to be bound by the provisions of Schedule A attached hereto and made of part hereof.

IN WITNESS WHEREOF, the parties have caused these presents to be signed by their proper corporate officers and their property corporate seals to be hereto affixed the day and year first above written.

ATTEST:

TOWNSHIP OF WEST ORANGE

Karen J. Carnevale
Municipal Clerk

BY: Robert D. Parisi, Mayor

ATTEST:

MOUNTAIN TOP LEAGUE

SECRETARY

BY: _____
PRESIDENT

"SCHEDULE A"

(I) During the performance of this agreement MTL agrees as follows:

a. The MTL will not discriminate against any employee of applicant for employment because of age, race, creed, color, national, origin, ancestry, marital status or sex. MTL will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action

shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause;

b. MTL will, in all solicitations or advertisements for employees placed by or on behalf of the MTL, state that all qualified applicants will receive consideration for employment without regard to age, creed, color, national origin, ancestry, marital status or sex;

c. MTL will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or worker's representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. MTL agrees to comply with any regulations promulgated by the Treasure pursuant to P.L. 1975,c.127, as amended and supplemented from time to time.

(II) MTL agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by section 5.2 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to section 5.2 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

(III) MTL agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placements bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status or

sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect or indirect discriminatory practices.

(IV) MTL agrees to revise any of its testing procedure, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decision of the State of New Jersey and as established by applicable federal law and applicable federal court decisions.

(V) MTL agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable federal law and applicable federal court decisions.

RESOLUTION

WHEREAS, in accordance with N.J.A.C. 5:71-4.3(c) and N.J.A.C. 5:71-2.7(a) by the New Jersey Division of Fire Safety each Municipality must have a Municipal Fire Official; and

WHEREAS, Thomas Belli, Fire Captain, has the necessary background and expertise to perform the duties of Municipal Fire Official; and

WHEREAS, the Mayor has recommended the appointment of Thomas Belli as Municipal Fire Official for a three year term effective December 1, 2014 and expiring on November 30, 2017;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Orange, County of Essex, and State of New Jersey, that Thomas Belli, Fire Captain, is hereby appointed as Municipal Fire Official.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the New Jersey Division of Fire Safety.

Adopted:

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Adopted: November 10, 2014

200-14
November 10, 2014

RESOLUTION
ABANDONED CAR AUCTION

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

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

The Purchasing Agent is hereby authorized to sell three (3) transferable vehicle title(s) in the manner set forth in N.J.S.A. 39:10A-1 and N.J.S.A. 40A:14-157. Date and time of sale is scheduled for Tuesday November 25, 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 three (3) transferable vehicle title(s) in the manner set forth in N.J.S.A. 39:10A-1 and N.J.S.A. 40A:14-157. Date and time of sale is scheduled for Tuesday November 25, 2014 at 3:00 PM in following location:

Select Towing
52 Washington Street
West Orange, NJ 07052

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Adopted: November 10, 2014

ABANDONED CAR AUCTION NOTICE

In accordance with N.J.S.A. 39:10A-1 and N.J.S.A. 40A:14-157 the Township of West Orange will hold for sale at public auction on Tuesday November 25, 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>
1996	FORD	1FMDU34XXTUC45332
2004	HYU	KM8SC73D44U605690
2001	BUI	2G4WB55K911323721

In accordance with N.J.S.A. 39:10A-1 and N.J.S.A. 40A:14-157 the Township of West Orange will hold for sale at public auction on Tuesday November 25, 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>
2010	TOY	4T1BF3EK0AU518585
2002	NIS	1N4AL11D42C703627
1996	AUD	WAUEA88D6TA242909

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 11/13/2014

RESOLUTION

WHEREAS, the Township of West Orange is desirous of awarding a contract for providing recreational, social and educational services to the Senior Citizens of the Township of West Orange, for the period commencing January 1, 2014 and ending December 31, 2014; and

WHEREAS, the following organizations are willing to provide said services;

1. Pleasantdale Senior Citizens
2. JCC Council of Senior Citizens
3. The John Renna House
4. Eagle Rock Senior Citizens H.A./Tenant Services
5. Woodland Valley Senior Social Gathering
6. Women's Club
7. Knitting Club
8. Prime Timers

WHEREAS, the aggregate of public funds to be expended for the provision of such services is \$2,000.00 and therefore, no public advertisements for bids is required.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that the Mayor and Township Clerk be and hereby are respectively authorized to execute and attest to a contract, in a form approved by the Township Attorney, with the Pleasantdale Senior Citizens, JCC Council Senior Citizens, The John P. Renna House, Eagle Rock Senior Citizens, Woodland Valley Senior Social Gathering, Women's Club, Prime Timers and The Knitting Club, for the provisions of recreational, educational, informational and social services to the Senior Citizens of the Township of West Orange.

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Adopted:

I hereby certify funds are available from: **01-2010-00-8762-080**
Account #

John O. Gross, Chief Financial Officer

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

202-14

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

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

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

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

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

Tax Appeals 2,100,000.00

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

RESOLUTION

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

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

<u>Organization</u>	<u>Date of Event</u>	<u>Place</u>	<u>RL #</u>
Michael T. McCormack Jr. Memorial Foundation	11.15.14	437 Main Street	7125

Susan McCartney
Council President

Karen J. Carnevale
Municipal Clerk

Adopted: November 10, 2014

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC,
SUBSECTION 7-12, PARKING PROHIBITED FOR STREET CLEANING AND
MAINTENANCE, SUBSECTION SECTION 7-14.1c, NIGHT PARKING RESTRICTED
ON CERTAIN STREETS AND 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
Cary Street	South	Thursday 8:00 a.m. To 10:00 a.m.	Valley Road to Orange Municipal Line

Section 2. 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
Cary Street	Both	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 Municipal Line</i>

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 PARISI, MAYOR

SUSAN McCARTNEY, COUNCIL PRESIDENT

Introduced: November 10, 2014

Adopted: November 29, 2014

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

Karen J. Carnevale, Municipal Clerk

LEGISLATIVE HISTORY

This Ordinance will rescind Alternate Side Parking Regulations on Cary Street from Valley Road to the Orange Municipal Line and allow parking on both sides of the street subject to restrictions for street cleaning and maintenance. This will provide more on street parking on Cary Street every day of the week. Cary Street is a short street that starts at Valley Road and continues into the City of Orange approximately 185 feet east of Valley Road. Most of the parking on the southerly side of Cary Street will be opposite the area on the northerly side where parking is prohibited by Statute within 50 feet of a stop sign.

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 7, TRAFFIC, SUBSECTION 7-19, THROUGH 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, that Lincoln Avenue from Pleasant Valley Way to Cleveland Terrace shall be designated as a Through Street pursuant to N.J.S.A. 39:4-8 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 Lincoln Avenue from Pleasant Valley Way to Cleveland Terrace as a Through Street pursuant to N.J.S.A.39:4-8.T

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 and the criteria as set forth by the New Jersey Department of Transportation, Bureau of Traffic Engineering have been met.

Section 3. Subsection 7-19, Through Streets, 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*):

Name of Street	Limits
Lincoln Avenue	Pleasant Valley Way and Cleveland Terrace

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 if necessary.

ROBERT D. PARISI, MAYOR

SUSAN McCARTNEY, COUNCIL PRESIDENT

Introduced: November 10, 2014

Adopted: November 25, 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 Lincoln Avenue from Pleasant Valley Way to Cleveland Terrace as a Through Street with stop signs to be placed on the right side of all intersecting streets: Roosevelt Avenue and Garfield Avenue. These intersections are four way or a full cross intersections similar to the intersections of Roosevelt Avenue with Belle Terre Road and Hoover Avenue and Garfield Avenue with Belle Terre Road and Hoover Avenue. All four of these intersections are regulated by stop signs on all approaches of Roosevelt Avenue and Garfield Avenue to Belle Terre Road and Hoover Avenue. Due to the volume of traffic which travels on Lincoln Avenue which is a steeply sloped street that leads to a County Arterial Road, Pleasant Valley Way, similar to both Belle Terre Road and Hoover Avenue, the Township's Engineering Division determined that traffic needed to be regulated at these intersections for the safe movement of traffic through them. Based on traffic counts, Lincoln Avenue is the major road at each intersection, and by designating it a Through Street, a stop sign shall be placed on each street intersecting it for the safe and efficient movement of traffic there.

If Lincoln Avenue were not designated a Through Street with stop signs on all approaches to it from Roosevelt Avenue and Garfield Avenue, the normal right-of-way rule is not expected to provide reasonably safe operation of these intersections.

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 7, TRAFFIC, SUBSECTION 7-20, STOP INTERSECTIONS, 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 James Court and Alan Street and Mountain Drive and Highwood 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 James Court and Alan Street and Mountain Drive and Highwood 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 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:
James Court and Alan Street	James Court
Mountain Drive and Highwood Road	Mountain Drive

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 if necessary.

ROBERT D. PARISI, MAYOR

SUSAN McCARTNEY, COUNCIL PRESIDENT

Karen J. Carnevale, Municipal Clerk

Introduced: November 10, 2014

Adopted: November 25, 2014

LEGISLATIVE HISTORY

The Ordinance, which amends the Traffic Regulations of the Township, designates the intersections of James Court and Alan Street and Mountain Drive and Highwood Road as Stop Intersections with Stop Signs to be placed on James Court and Mountain Drive. These intersections are “T” intersections with James Court and Mountain Drive forming the stems of the “T”. Due to volume of traffic which travels on James Court and Alan Street and Mountain Drive and Highwood 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 James Court and on Mountain Drive to provide for the safe movement of traffic there. Without Stop Signs on James Court and Mountain Drive the normal right-of-way rule is not expected to provide reasonably safe operation of these intersections.