

1. Conference Meeting Agenda

Documents:

[CA10.6.16.DOC](#)

2. Public Meeting Agenda

Documents:

[PM10.6.16 FINAL.PDF](#)

3. Resolution(S)

3.I. 218-16

Documents:

[218-16 DUPLICATE PAYMENT RESOLUTION 3RD QTR 2016.PDF](#)

3.II. 219-16

Documents:

[219-16 RAFFLE LICENSES 10.6.16.PDF](#)

3.III. 220-16

Documents:

[220-16 AUTHORIZING PAYMENTS FOR COURT APPOINTED MASTER.PDF](#)
[220-16 EXHIBITS A AND B.PDF](#)

3.IV. 221-16

Documents:

[221-16 AUTHORIZING REFUND OF TAXES DISABLED VETERAN-12 HUNTERDON.PDF](#)

3.V. 222-16

Documents:

[222-16 AUTHORIZING REFUND OF TAXES DISABLED VETERAN-7 SCHMITT RD..PDF](#)

3.VI. 223-16

Documents:

[223-16 AWARD OF CONTRACT STREET IMPROVEMENTS -PHASE II 2015-CHANGE ORD. 3.DOCX](#)

3.VII. 224-16

Documents:

[224-16 RESOLUTION AUTHORIZING APPLICATION FOR GRANT FOR
TRANSPORTATION ALTERNATIVES PROGRAM.DOC](#)

3.VIII. 224-16 (A)

Documents:

[224-16 \(A\) EXECUTIVE SESSION 10.6.16.PDF](#)

4. Ordinance(S) On Second And Final Reading

4.I. 2492-16

Documents:

[2492-16 BOND ORDINANCE AMENDING 2475 -16 ORDINANCE
2495218V1.PDF](#)

4.II. 2493-16

Documents:

[2493-16 AMENDING C7 TRAFFIC-LOWELL AVE. BEHIND GREGORY
SCHOOL 9.20.16.PDF](#)

CONFERENCE MEETING

AGENDA- Revised

Council Chambers – 66 Main Street, West Orange, NJ

Thursday, October 6, 2016

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 October 14, 2015. 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 October 14, 2015.

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

=====

6:30 P.M

- **Resolution Designating November 17, 2016 as “World Pancreatic Cancer Day”**
- **Discussion on Rules of the Township Council**
- **Proclamation “Fire Prevention Week”**

Council Liaison Announcements

7:00 P.M.

- **Public Meeting**

PUBLIC MEETING AGENDA - Amended

**Township of West Orange
66 Main Street – 7:00 p.m.**

Thursday, October 6, 2016

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 emailed to the Star Ledger and the West Orange Chronicle on October 14, 2015. 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 October 14, 2015.

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)

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

1. Pledge of Allegiance

2. Public Comment

3. *Consent Agenda

4. *Approval of Minutes of Previous Meeting – Public Minutes September 20, 2016

5. *Report of Township Officers-None

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

7. *Bills

8. *Resolutions

a. 218-16 Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer(s) Due to a Duplicate Payment of 3rd Quarter Taxes (Gagliardo)

b. 219-16 Resolution Authorizing the Issuance of Raffle Licenses (Clerk)

c. 220-16 Resolution Authorizing the Township to Issue Payment to Elizabeth McManus, PP, AICP, LEED AP, of Clarke Caton Hinton as Special Master for the Township's Declaratory Judgment Action (Legal-Moon)

This resolution authorizes the Township to issue payments for the Court appointed Special Master pursuant to a Court Order making such appointment in the Township's declaratory judgment action regarding the Township's affordable housing obligation. The Township is responsible for half of the costs associated with the Special Master with the West Essex Highlands, Inc. responsible for the other half.

d. 221-16 Resolution Authorizing a Refund of 2016 Real Estate Taxes in the Amount of \$9,707.50 to the Owner of the Property Located at 12 Hunterdon Road, Block 173.04, Lot 6, a 100% Totally Disabled Veteran (Tax Assessor)

Pursuant to NJS 54: 4-3.30, et seq., the owner of this property is entitled to a full refund of taxes paid for 2016.

- e. 222-16 Resolution Authorizing a Refund of 2016 Real Estate Taxes in the Amount of \$6,310.00 to the Owner of the Property Located at 7 Schmitt Road, Block 176.08, Lot 4, a 100% Totally Disabled Veteran (Tax Assessor)
Pursuant to NJS 54: 4-3.30, et seq., the owner of this property is entitled to a full refund of taxes paid for 2016.
- f. 223-16 Resolution Authorizing Change Order No. 3 for the Contract Street Improvements, Phase II, 2015, Re-Bid with Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey 07024 in the Amount of **\$76,500.00**. (Lepore)
In conjunction with Change Order No. 1 and No. 2, this represents a 12.47 percent increase in the original contract amount to improve portions of Overlook Avenue between Ridgeview Avenue and Luddington Road with granite block curb and concrete driveway aprons.
- g. 224-16 Resolution Authorizing the Mayor to Execute and Submit an Electronic Grant Application Identified as TA-2016-West Orange Town Township-00073 to the New Jersey Department of Transportation for Funding under the TAP on behalf of the Township; and the Township's Municipal Engineer/Director of Public Works, Mr. Leonard Lepore P.E. Shall Be Appointed as the Responsible Charge to Administer the Pleasantdale Streetscape Improvement Project and to Insure that it is Completed in Accordance with Federal and State Guidelines (Admin)
- h. 224-16(A) Resolution Authorizing an Executive Session for the Purpose of Discussing Resolution 220-16 Authorizing the Township to Issue Payment to Elizabeth McManus, PP, AICP, LEED AP, of Clarke Caton Hinton as Special Master for the Township's Declaratory Judgment Action (Legal-Moon)

9. Ordinances on Second and Final Reading

- a. 2492-16 Bond Ordinance Amending Bond Ordinance Number 2475-16 Finally Adopted by the Township Council of the Township of West Orange on February 9, 2016 (Draikewicz)
- b. 2493-16 An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-14.3, Parking Time Limited on Certain Streets During Certain Hours of Certain Days, 7-26.1, Bus Stops (at Various School Locations) and Subsection 7-14.9, Parking Prohibited Adjacent to Schools of the Revised General Ordinances of the Township of West Orange (Lepore)

10. Ordinances on First Reading-None

11. ABC Hearing

- a. 570-16 Resolution Authorizing a Person to Person and Place to Place Transfer of Plenary Retail Consumption License No. 0722-33-053-001 from Rock Spring Club, 90 Rock Spring Road, West Orange to Montclair Golf Club d/b/a Montclair Golf Club at Rock Spring, 90 Rock Spring Road, West Orange, NJ (Clerk/ABC Board Secretary)

12. Adjournment

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

Agenda is subject to change.

RESOLUTION

WHEREAS, certain West Orange property owners or their mortgage company have made a duplicate payment for the third quarter 2016 tax;

WHEREAS, the Tax Collector of the Township of West Orange has indicated that such Taxpayers or their mortgage company are entitled to refunds to the extent of such overpay-payments;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that the Tax Collector and Treasurer of West Orange be and they are hereby authorized, empowered and directed to cause to be paid to the taxpayers on the attached list the sums indicated in full and final satisfaction of overpayment of the 2016 taxes.

<u>Block</u>	<u>Lot</u>	<u>Name and Address</u>	<u>Amount</u>
44.02	9	Rolando Scott & Lisa Moore 35 Lowell Avenue West Orange, NJ 07052	\$ 271.11
125.03	3	Ling Fei 7 Orange Place West Orange, NJ 07052	\$ 2,338.40
152.22	1413	C0031 Marina Solo 24 Waldeck Court West Orange, NJ 07052	\$ 3,726.29
158.12	225	Lawrence Bingham 46-48 Lessing Road West Orange, NJ 07052	\$ 154.50
167.03	4	Corelogic Tax Real Estate Attn: Refund Dept 95 Methodist Hill Rd, Ste 100 Rochester, NY 14623	\$14,232.22

178.15 37 C0083 Michael Gagliano & Rebecca Shapey \$ 3,234.85
37 Davey Drive
West Orange, NJ 07052

TOTAL: \$23,957.37

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

Victor Cirilo
Council President

I hereby certify funds are available from: _____

Account No./Amount

John Gross, Chief Financial Officer

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 No.</u>
Jewish Community Center of Metrowest Inc. Casino Night	November 16, 2016	760 Northfield Ave.	7338

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

Victor Cirilo, Council President

Adopted: October 6, 2016

RESOLUTION

WHEREAS, on Tuesday, June 9, 2015, the Township Council for the Township of West Orange (the "Township") passed Resolution 156-15 which authorized the commencement of a declaratory judgment action consistent with the transitional process established in the New Jersey Supreme Court In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (the "Affordable Housing Decision") to obtain judgment approving of the Township's affordable housing plan; and

WHEREAS, on April 5, 2016, the Honorable Robert H. Gardner, Judge of the Superior Court entered a Case Management Order where the Court appointed Elizabeth McManus, PP, AICP, LEED AP ("Ms. McManus"), of Clarke Caton Hinton as the Special Master for the Township's declaratory judgment action, annexed hereto as Exhibit "A;" and

WHEREAS, Ms. McManus has provided a schedule of rates, annexed hereto as Exhibit "B;" and

WHEREAS, the West Essex Highlands, Inc. has intervened in the Township's declaratory judgment action and shall be responsible for half of the costs associated with Ms. McManus's appointment as Special Master.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, that the Township is hereby authorized to pay half of all invoices issued by Ms. McManus pertaining to her appointment as Special Master for the Township's declaratory judgment action; and be it further

RESOLVED this resolution shall be published and made available in the Clerk's office in accordance with applicable law.

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

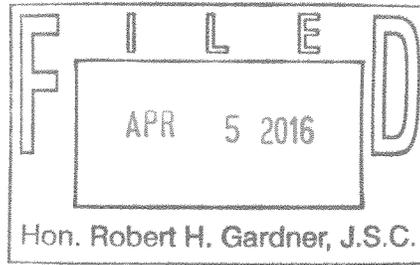
Victor Cirilo, Council President

Adopted: October 6, 2016

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

JOHN O. GROSS, CFO

Exhibit “A”



PREPARED BY THE COURT

IN ALL DECLARATORY JUDGMENT ACTIONS FILED BY VARIOUS MUNICIPALITIES, COUNTY OF ESSEX, PURSUANT TO THE SUPREME COURT'S DECISION IN <u>In re Adoption of</u> <u>N.J.A.C. 5:96, 221 N.J. 1 (2015)</u>	SUPERIOR COURT OF NEW JERSEY LAW DIVISION - ESSEX DOCKET NO. ESX-L-4173-15 <i>Civil Action</i> ORDER
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THIS MATTER having been opened by the Court on its own motion, upon conferring with all parties during a Case Management Conference on the 24th day of March, 2016 before the Honorable Robert H. Gardner, J.S.C. and counsel of record appearing;

It is on this 5th day of April, 2016, hereby ORDERED as follows:

1. The municipalities (Plaintiffs) shall continue to have temporary immunity from exclusionary zoning lawsuits until the core issue in the Declaratory Judgments, i.e. whether the town's affordable housing plan is constitutionally compliant, has been determined by this Court;
2. Any and all motions associated with this consolidated matter are held in abeyance;
3. All parties, other than municipalities and the Fair Housing Commission, shall forward to the Court a list of all interested parties, including but not limited to

owners, partners, investors, parties to contracts for purchase, and owners of Rights of First Refusal within ten (10) days of the date of this order;

4. Copies of all initial pleadings, Motions for Immunity, and all exhibits and attachments shall be forwarded to the Special Masters within fourteen (14) days of the date of this order;
5. The Special Masters to this consolidated matter in Essex County shall be appointed as follows:
 - a. Beth McManus: South Orange, West Orange and Roseland;
 - b. Phil Cates: Fairfield;
 - c. Frank Banisch: North Caldwell;
 - d. Betsey McKenzie: all remaining Essex County towns;
6. The Depositions of Richard Reading shall proceed per paragraph 11 of Judge Trancone's Order dated March 28, 2015 entered in the consolidated Ocean County action. Counsel in the consolidated action in Essex County shall coordinate any additional questions and topics with lead counsel, who shall be designated by Judge Trancone;
7. This Court shall address "Gap Issues" per Judge Carey's February 5, 2016 Order after all depositions of experts are completed;
8. The Honorable Robert H. Gardner, J.S.C. will conduct a case management conference on June 17, 2016 at 9:00a.m. All parties and masters are to attend;

ORDERED that a copy of this order be served on all parties within seven (7) days of the date hereof.



HON. ROBERT H. GARDNER, J.S.C.

Exhibit “B”



Clarke Caton Hintz

Architecture
Planning
Landscape Architecture

Mark Y. Moon Esq.
Trenk DiPasquale
347 Mount Pleasant Avenue, Suite 300
West Orange, NJ 07052

September 23, 2016

**Re: Appointment as Special Master to the Court
Docket No: ESX-L-4173-15**

100 Barrack Street
Trenton NJ 08608
clarkecatonhintz.com
Tel: 609 883 8383
Fax: 609 883 4044

Dear Mr. Moon,

As you know, Judge Gardner appointed me as Special Master to West Orange's Mt. Laurel matter on April 5, 2016. As is the case with all *Mt. Laurel* Special Master appointments, the municipality is responsible for payment of all Special Master Costs. However, where there is an intervenor(s), the Special Master costs shall be evenly split between the municipality and the intervenor(s). It is my understanding West Orange has one intervenor, West Essex Highlands, Inc. As such, West Oranges costs shall be split evenly with West Essex Highlands, Inc. Enclosed please find my rate schedule which is reflected in Clarke Caton Hintz invoices.

Please do not hesitate to contact me with any questions you may have.

Sincerely,

Elizabeth McManus, PP, AICP, LEED AP

Philip Caton, FAICP
John Hatch, FAIA
George Hibbs, AIA
Brian Slaugh, AICP
Michael Sullivan, AICP

Emeriti

John Clarke, FAIA
Carl Hintz, AICP, ASLA

C. Ronald Shimanowitz, Esq.
Bryan Plocker, Esq.



CLARKE CATON HINTZ
2016 PROFESSIONAL PLANNING FEE SCHEDULE

Clarke Caton Hintz

Architecture

Planning

Landscape Architecture

PLANNERS & LANDSCAPE ARCHITECTS

HOURLY RATE

Philip Caton, PP, FAICP	\$250
Brian Slauch, PP, AICP	\$250
Michael Sullivan, PP, AICP, CLA, ASLA	\$250
Mary Beth Lonergan, PP, AICP	\$225
Elizabeth McManus, PP, AICP, LEED AP	\$200
Kendra Lelie, PP, AICP, ASLA, LEED GA	\$195
Andrea Malcolm, PP, AICP	\$160
Emily Goldman, PP, AICP	\$150
Geoffrey Vaughn	\$140
Christian Kuhn, LLA	\$140
Ashton Jones, AICP, CFM	\$135
Daniel Hauben, PP, AICP	\$130
Courtney Lewis	\$120

NOTE: Standard rates shall be applicable for all services to public sector clients except for those related to litigation/contested matters in which case Expert rates shall apply. Time for off-premise work is billable on a portal-to-portal basis. Reimbursable expenses, including travel, copying, computer plotting and other reproducible items, postal charges, photography, subcontracted work and other expenses directly related to a specific project or application are billed at the firm's direct cost without mark-up for administration.

W:\Administration\CCH\Rates\2016\PL-LSA_Special Master Rates April 2016 - New Clients.docx

Philip Caton, FAICP

John Hatch, FAIA

George Hibbs, AIA

Brian Slauch, AICP

Michael Sullivan, AICP

Emeriti

John Clarke, FAIA

Carl Hintz, AICP, ASLA

RESOLUTION

WHEREAS, JOHN COLLINS, is the owner of the single family dwelling at 12 Hunterdon Road (Block 173.04, Lot 6) and

WHEREAS, JOHN COLLINS, is an honorably discharged veteran who has been certified as one hundred (100%) totally disabled veteran entitled to exemption from real estate taxes pursuant to N.J.S. 54: 4-3.30 et seq; and

WHEREAS, JOHN COLLINS, has been granted total exemption from real estate taxes for year 2016; and

WHEREAS, JOHN COLLINS, has paid real estate taxes for the period January 1,2016 thru ; and

WHEREAS, there is a request from the Tax Assessor that JOHN COLLINS be refunded all real estate taxes paid in the year 2016; and

WHEREAS, the Tax Collector has advised that JOHN COLLINS is due and owing a refund of 2016 in the sum of \$9,707.50; and

WHEREAS, this Township Council desires to refund all paid real estate taxes to JOHN COLLINS for the year 2016.

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that JOHN COLLINS be granted exemption from real estate taxes, as a totally disabled veteran, for tax year 2016, pursuant to N.J.S. 54: 4-3.30 et seq.

BE IT FURTHER RESOLVED that the Tax Assessor and Tax Collector adjust their records to reflect the aforementioned grant of exemption.

BE IT FURTHER RESOLVED THAT THE Tax Collector refund the sum of \$9,707.50 to JOHN COLLINS which sum represents real estate taxes paid for tax year 2016.

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

Victor Cirilo
Council President

Adopted: October 6, 2016

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

John Gross, Chief Financial Officer

RESOLUTION

WHEREAS, DOMENICK TUTALO JR., is the owner of the single family dwelling at 7 Schmitt Road (Block 176.08, Lot 4) and

WHEREAS, DOMENICK TUTALO, JR., is an honorably discharged veteran who has been certified as one hundred (100%) totally disabled veteran entitled to exemption from real estate taxes pursuant to N.J.S. 54: 4-3.30 et seq; and

WHEREAS, DOMENICK TUTALO, JR., has been granted total exemption from real estate taxes for year 2016; and

WHEREAS, DOMENICK TUTALO JR., has paid real estate taxes for the period January 1, 2016 thru the year ; and

WHEREAS, there is a request from the Tax Assessor that DOMENICK TUTALO, JR. be refunded all real estate taxes paid in the year 2016; and

WHEREAS, the Tax Collector has advised that DOMENICK TUTALO, JR. is due and owing a refund of 2016 in the sum of \$6,310.00; and

WHEREAS, this Township Council desires to refund all paid real estate taxes to DOMENICK TUTALO, JR. for the year 2016.

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE that DOMENICK TUTALO, JR. be granted exemption from real estate taxes, as a totally disabled veteran, for tax year 2016, pursuant to N.J.S. 54: 4-3.30 et seq.

BE IT FURTHER RESOLVED that the Tax Assessor and Tax Collector adjust their records to reflect the aforementioned grant of exemption.

BE IT FURTHER RESOLVED THAT THE Tax Collector refund the sum of \$6,310.00 to DOMENICK TUTALO, JR. which sum represents real estate taxes paid for tax year 2016.

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

Victor Cirilo
Council President

Adopted: October 6, 2016

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

John Gross, Chief Financial Officer

RESOLUTION

WHEREAS, the Township Council by Resolution No. 215-15 dated August 11, 2015 awarded the contract Street Improvements, Phase II, 2015 Re-Bid in the amount of \$3,086,160.43 to Reggio Construction, Inc., 1575 West Street, Fort Lee, N.J. 07024; and

WHEREAS, this contract included improvements to 21 streets totaling about 3.25 miles in length; and

WHEREAS, the Township Council by Resolution No. 274-15 dated November 24, 2015 authorized Change Order No. 1 to this contract in the amount of \$15,000.00; and

WHEREAS, the Township Council by Resolution No. 195-16 dated August 9, 2016 authorized Change Order No. 2 to this contract in the amount of \$293,400.00; and

WHEREAS, one of the 21 streets included Overlook Avenue from Lawrence Avenue to Luddington Road; and

WHEREAS, the Municipal Engineer advised the Township Council of the desire by residents of Overlook Avenue to remove nine large and mature shade trees and then improve the block of Overlook Avenue between Ridgeview Avenue and Luddington Road with granite block curb and concrete driveway aprons which were not part of the original contract; and

WHEREAS, the Municipal Engineer recommends Change Order No. 3 be approved with Reggio Construction Inc. to improve Overlook Avenue between Ridgeview Avenue and Luddington Road with new granite block curb and concrete driveway aprons under the 2015 contract prices; and

WHEREAS, the estimated cost for these additional improvements under Change No. 3 to the contract Street Improvements Phase II, 2015, Re-Bid is \$76,500.00; and

WHEREAS, Change Order No. 3 in conjunction with Change Orders No. 1 and No. 2 amount to a 12.47 percent in the original contract amount; and

WHEREAS, sufficient funds exist for the additional work under Change Order No. 3; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that Change Order No. 3 for the contract Street Improvements, Phase II, 2015, Re-Bid with Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey 07024 in the amount of \$76,500.00 representing in conjunction with Change Order No. 1 and No. 2 a 12.47 percent increase in the original contract amount to improve portions of Overlook Avenue between Ridgeview Avenue and Luddington Road with granite block curb and concrete driveway aprons is hereby approved.

KAREN J. CARNEVALE, MUNICIPAL CLERK

VICTOR CIRILO, COUNCIL PRESIDENT

Adopted: September 20, 2016

I hereby certify funds are available from:

ACCOUNT NO. 03-2475-16-0060-010
2016 STREET RESURFACING

JOHN GROSS, CHIEF FINANCIAL OFFICER

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) desires to apply to the New Jersey Department of Transportation for funding under the Transportation Alternatives Program (the “TAP”); and

WHEREAS, the Township’s Pleasantdale Streetscape Improvement Project meets all criteria necessary to receive funding under the TAP; and

WHEREAS, Pleasantdale Streetscape Improvement Project includes the completion of the streetscape project in the Pleasantdale Neighborhood on Pleasant Valley Way (northbound from Alisa Drive to Kenz Terrace and southbound from Marmon Terrace to Stanford Avenue) and Eagle Rock Avenue (eastbound from Haller Road to 300 feet east of Beasley Street and westbound 300 feet east of Beasley Street to Oak Terrace); and

WHEREAS, the Pleasantdale Streetscape Improvement Project will encourage alternative modes of transportation, enhance travel, improve open space and smart growth, and positively impact the quality of life for the Township’s residents.

THEREFORE, IT IS HEREBY RESOLVED, that the Township Council authorizes the Mayor to execute and submit an electronic grant application identified as TA-2016-West Orange Town Township-00073 to the New Jersey Department of Transportation for Funding under the TAP on behalf of the Township; and

BE IT FURTHER RESOLVED that the Township’s Municipal Engineer/Director of Public Works, Mr. Leonard Lepore P.E. shall be appointed as the responsible charge to administer the Pleasantdale Streetscape Improvement Project and to insure that it is completed in accordance with Federal and State guidelines; and

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

Karen Carnevale
Township Clerk

Honorable Victor Cirilo
Council President

Dated:

Adopted:

RESOLUTION TO HOLD A CLOSED SESSION

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4. et seq.) provides for the exclusion of the public meetings of the governing body during the discussion of certain matters; and

WHEREAS, prior to the exclusion of the public from a meeting of the Township Council it is required that the Council adopt a Resolution stating the general nature of the subject to be discussed and stating as precisely as possible the time when the minutes of the discussion conducted in closed session can be disclosed to the public; and

WHEREAS, this body is about to consider a matter which falls within the purview of N.J.S.A. 10-4-12, and can properly exclude the public from such discussions; now, therefore, be it

BE IT RESOLVED, that the Township Council of the Township of West Orange, now assembled in public session at its regular meeting of **October 6, 2016** enter into a closed session to consider the following matter(s).

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

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

Pending or anticipated litigation or contract negotiation

- a. 220-16 Resolution Authorizing the Township to Issue Payment to Elizabeth McManus, PP, AICP, LEED AP, of Clarke Caton Hinton as Special Master for the Township's Declaratory Judgment Action (Legal-Moon)

This resolution authorizes the Township to issue payments for the Court appointed Special Master pursuant to a Court Order making such appointment in the Township's declaratory judgment action regarding the Township's affordable housing obligation. The Township is responsible for half of the costs associated with the Special Master with the West Essex Highlands, Inc. responsible for the other half.

(the general subject matter(s)) of discussion shall be indicated by a check mark in the appropriate box and shall be more specifically referred to thereafter to the extent such additional disclosure can be made without compromising the need for confidentiality giving rise to the closed session.

IT IS FURTHER RESOLVED that the minutes of said discussion shall be made public as soon as the matter under discussion is no longer of a confidential or sensitive nature such that the public interest will no longer be served by such confidentiality.

The foregoing resolution was duly adopted by the Township Council of the Township of West Orange at a public meeting held on **October 6, 2016**.

Motion: Susan McCartney

Second: Victor Cirilo

Vote

Aye: 5

Opposed: 0

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

Victor Cirilo
Council President

Adopted: October 6, 2016

**BOND ORDINANCE AMENDING BOND ORDINANCE
NUMBER 2475-16 FINALLY ADOPTED BY THE
TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST
ORANGE, NEW JERSEY ON FEBRUARY 9, 2016**

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

Section 1. The Bond Ordinance of the Township Council of the Township of West Orange, in the County of Union, New Jersey (the "Township") entitled "Bond Ordinance Authorizing Various Capital Improvements In And For The Township Of West Orange, In The County Of Essex, New Jersey, Appropriating \$7,378,635 Therefore And Authorizing The Issuance Of \$7,027,266 Bonds Or Notes To Finance Part Of The Cost Thereof" finally adopted on February 9, 2016 (the "Ordinance") is hereby incorporated by reference in its entirety.

Section 2. Section 3(a)(ii) of the Ordinance is hereby amended in its entirety and is amended by inserting Section 3(a)(vi) as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
ii) Various sewer improvements, including but not limited to improvements to Old Short Hills Road Pump Station, elimination of Korvel Pump Station and upgrade of Pump Station on 7 Lessing Court, including all work and materials necessary therefor and incidental thereto.	\$325,000	\$309,523.76	40 Years
vi) Acquisition of Jitney buses.	300,000	285,714.24	5 Years

The Ordinance is further amended by deleting the reference of 14.33 years for the useful life and substituting in lieu therefor 12.55 years.

Section 3. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Township incurs debt obligations under this Bond

Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$7,027,266.

Section 5. All other provisions of the Ordinance shall remain unchanged.

Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

First Reading: September 20, 2016

Final Reading: October 6, 2016

Robert D. Parisi
Mayor

Victor Cirilo
Council President

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

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

TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of West Orange, State of New Jersey, on September 20, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Township Council at the Municipal Building, 66 Main Street, in said Township on October 6, 2016 at 7 o'clock PM. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Amending Bond Ordinance Number 2475-16 Finally Adopted By The Township Council Of The Township Of West Orange, New Jersey On February 9, 2016
Purpose(s): Amend Bond Ordinance 2475-16 by amending Section 3(a)(ii) in its entirety and by adding Section 3(a)(vi)

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
ii) Various sewer improvements, including but not limited to improvements to Old Short Hills Road Pump Station, elimination of Korvel Pump Station and upgrade of Pump Station on 7 Lessing Court, including all work and materials necessary therefor and incidental thereto.	\$325,000	\$309,523.76	40 Years
vi) Acquisition of Jitney buses.	300,000	285,714.24	5 Years

The Ordinance is further amended by deleting the reference of 14.33 years for the useful life and substituting in lieu therefor 12.55 years.

Appropriation: \$7,378,635
Bonds/Notes Authorized: \$7,027,266
Grants (if any) Appropriated: None
Section 20 Costs: \$2,000,000
Useful Life: 12.55 years

Karen Carnevale, R.M.C.

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

**TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY**

PUBLIC NOTICE

BOND ORDINANCE STATEMENTS AND SUMMARIES

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Township of West Orange in the State of New Jersey on October 6, 2016 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk’s office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Amending Bond Ordinance Number 2475-16 Finally Adopted By The Township Council Of The Township Of West Orange, New Jersey On February 9, 2016
Purpose(s): Amend Bond Ordinance 2475-16 by amending Section 3(a)(ii) in its entirety and by adding Section 3(a)(vi)

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
ii) Various sewer improvements, including but not limited to improvements to Old Short Hills Road Pump Station, elimination of Korvel Pump Station and upgrade of Pump Station on 7 Lessing Court, including all work and materials necessary therefor and incidental thereto.	\$325,000	\$309,523.76	40 Years
vi) Acquisition of Jitney buses.	300,000	285,714.24	5 Years

The Ordinance is further amended by deleting the reference of 14.33 years for the useful life and substituting in lieu thereof 12.55 years

Appropriation: \$7,378,635
Bonds/Notes Authorized: \$7,027,266
Grants (if any) Appropriated: None
Section 20 Costs: \$2,000,000
Useful Life: 12.55 years

Karen J. Carnevale, R.M.C.

**Re: TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY**

**BOND ORDINANCE AMENDING BOND ORDINANCE
NUMBER 2475-16 FINALLY ADOPTED BY THE
TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST
ORANGE, NEW JERSEY ON FEBRUARY 9, 2016**

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

N/A Down Payment Certificate.

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

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

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

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

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

EXTRACT from the minutes of a Public meeting of the Township Council of the Township of West Orange, in the County of Union, New Jersey held at the Municipal Complex in the Township of West Orange on September 20, 2016 at 7 o'clock p.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, KAREN J. CARNEVALE, Municipal Clerk of the Township of West Orange, in the County of Union, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on September 20, 2016 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

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

(SEAL)

EXTRACT from the minutes of a Public meeting of the Township Council of the Township of West Orange, in the County of Union, New Jersey held at the Municipal Complex in the Township of West Orange on October 6, 2016 at 7 o'clock p.m.

PRESENT:

ABSENT:

[Attach appropriate minutes hereto]

CERTIFICATE

I, KAREN J. CARNEVALE, Municipal Clerk of the Township of West Orange, in the County of Union, State of New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on October 6, 2016 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this _____ day of _____, 2016.

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

(SEAL)

CLERK'S CERTIFICATE

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

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

2. Attached hereto is a true and complete copy of an ordinance passed by the governing body of the Local Unit on first reading on September 20, 2016 and finally adopted by the governing body on October 6, 2016, and where necessary approved by the Mayor on October 6, 2016.

3. On September 22, 2016 a copy of the ordinance and a notice that copies of the ordinance would be made available to the members of the general public of the municipality who requested copies, up to and including the time of further consideration of the ordinance by the governing body, was posted in the principal municipal building of the Local Unit at the place where public notices are customarily posted. Copies of the ordinance were made available to all who requested them;

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

5. After final passage, the ordinance, a copy of which is attached hereto, was duly published on October 8, 2016. No protest signed by any person against making the improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ___ day of _____, 2016.

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

[SEAL]

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 7, TRAFFIC, SUBSECTION 7-14.3, PARKING TIME LIMITED ON CERTAIN STREETS DURING
CERTAIN HOURS OF CERTAIN DAYS, 7-26.1, BUS STOPS (AT VARIOUS SCHOOL LOCATIONS)
AND SUBSECTION 7-14.9, PARKING PROHIBITED ADJACENT TO SCHOOLS
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 7-14.3, 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>Lowell Avenue</i>	<i>East</i>	<i>3 min</i>	<i>8:00 a.m. to 4:00 p.m.</i>	<i>Monday through Friday</i>	<i>Beginning 35 feet north of the northerly curbline of Walker Road and extending 325 feet northerly.</i>
<i>Lowell Avenue</i>	<i>East</i>	<i>3 min</i>	<i>8:00 a.m. To 4:00 p.m.</i>	<i>Monday through Friday</i>	<i>Beginning 500 feet north of the northerly curbline of Walker Road and extending northerly to a point 65 feet south of the southerly curbline of Winding Way.</i>

Section 2. Subsection 7-26.1, Bus Stops (At Various School Locations), 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*):

Street	Hours
3. <i>Along Lowell Avenue, northbound on the easterly side thereof:</i>	
a. <i>Between Walker Road and Winding Way beginning 380 feet from the Northerly curbline of Walker Road and extending 120 feet northerly thereof.</i>	<i>All</i>

Section 3. Subsection 7-14.9, Parking Prohibited Adjacent to Schools, 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	Side	Location
Lowell Avenue	East	Beginning 35 feet north of the northerly curbline of Walker Road and extending northerly to a point 65 feet south of the southerly curbline of Winding Way.

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

ROBERT D. PARISI, MAYOR

VICTOR CIRILO, COUNCIL PRESIDENT

Introduced: September 20, 2016

Adopted: October 6, 2016

KAREN J. CARNEVALE, R.M.C., MUNICIPAL CLERK

LEGISLATIVE HISTORY

With the completion of a School Bus Driveway in front of the Gregory School on Gregory Avenue, the bus stop for School Buses along Lowell Avenue location behind the School is no longer needed. The Ordinance eliminates the bus stop on Lowell Avenue. All of the easterly curbline of Lowell Avenue between Walker Road and Winding Way will be used as a student drop off and pick up area. This Ordinance rescinds the three (3) minute time limited parking that existed on the easterly curbline of Lowell Avenue located between Walker Road and Winding Way outside the bus stop area. The new regulation prohibits parking along the easterly curbline in this block on School Days between the hours of 8:00 a.m. and 4:00 p.m. This regulation allows parent and guardians to discharge or pick up students there. 5