

1. Conference Agenda

Documents:

[CA 6.9.20.PDF](#)

2. Public Meeting Agenda

Documents:

[PM 6.9.20.PDF](#)

3. Resolution(S)

3.I. 123-20

Documents:

[123-20 DUPLICATE PAYMENT RESOLUTION 2ND QTR..PDF](#)

3.II. 124-20

Documents:

[124-20 REBATE PAYMENT PURSUANT TO FINAL JUDGMENT OF TAX COURT.PDF](#)  
[124-20 ATTACHMENT.PDF](#)

3.III. 125-20

Documents:

[125-20 RESOLUTION TO AUTHORIZE THE PURCHASE OF ADDITIONAL SURFACING.PDF](#)

4. Ordinance(S) On First Reading

4.I. 2604-20

Documents:

[2604-20 BOND ORD. - FORM OF NJIB 3170000 BOND ORDINANCE FOR THE FLOOD MITIGATION PROJECT \(2020\) \(5.22.20\).PDF](#)

4.II. 2605-20

Documents:

[2605-20 ORDINANCE VACATING UTILITY EASEMENT - RNC DEVELOPERS 6.1.20.PDF](#)  
[2605-20 EXHIBIT A TO ORDINANCE VACATING COLONIAL WOODS UTILITY EASEMENT 6.1.20.PDF](#)

**Township of West Orange**  
**CONFERENCE MEETING AGENDA**  
**Council Chambers – 66 Main Street**  
**Tuesday, June 9, 2020**

**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.**

**The annual notice was emailed to the Star Ledger and filed in the Township Clerk's office on October 31, 2019 and published in the West Orange Chronicle on November 7, 2019.**

**Roll Call – Councilman Guarino, Councilman Krakoviak, Councilwoman Matute-Brown, Councilwoman McCartney, Council President Casalino, Mayor Parisi**

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**6:30 P.M**

- **Congressman Donald M. Payne, Jr.-Serving New Jersey's 10th District**
- **Mayor's Proclamation - Gun Violence Awareness Day  
Claire G. Keyles, Moms Demand Action**
- **West Orange Police Department  
Chief of Police James Abbott  
Deputy Chief Matthew Feula  
Deputy Chief Michael Keigher  
Captain William Varanelli  
Captain Richard McDonald**
- **Update – Redevelopment**
- **Council Liaison Announcements**
- **Public Meeting – 7:00 p.m.**

**PUBLIC MEETING AGENDA**  
**Township of West Orange**  
**66 Main Street – 7:00 p.m.**  
**June 9, 2020**

**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. The annual notice was emailed to the Star Ledger and filed in the Township Clerk's office on October 31, 2019, and published in the West Orange Chronicle on November 7, 2019.**

**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 – Councilman Guarino, Councilman Krakoviak, Councilwoman Matute-Brown, Councilwoman McCartney, Council President Casalino (Mayor Parisi)**

- 1. Pledge of Allegiance**
- 2. Public Comment**
- 3. \*Consent Agenda**
- 4. \*Approval of Minutes of Previous Meeting – Public Meeting May 26, 2020**
- 5. \*Report of Township Officers - None**
- 6. \*Reading of Petitions and Communications and Bids – None**
- 7. \*Bills**
- 8. \*Resolutions**
  - a. **123-20** Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to an Overpayment of Taxes Due to a Duplicate Payment (Gagliardo)
  - b. **124-20** Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey (Gagliardo)
  - c. **125-20** Resolution to Authorize the Purchase of Additional Surfacing through the Education Services Commission of NJ (ESCNJ) Cooperative Contract #ESCNJ 17/18-20
- 9. Ordinances on Second and Final Reading-None**
- 10. Ordinances on First Reading**
  - a. **2604-20** Bond Ordinance Providing for the Local Unit's Allocable Share of the Flood Mitigation Facilities Project of the Joint Meeting of Essex and Union Counties, By and In the Township of West Orange, in the County of Essex, State of New Jersey (the "Local Unit"); Appropriating \$3,170,000. Therefor and Authorizing the Issuance of \$3,170,000. Bonds or Notes to Finance the Cost Thereof (Bond Counsel-Erin K. Law)
  - b. **2605-20** An Ordinance Releasing, Extinguishing and Vacating the Rights of a 25' Wide Utility Easement Located in Colonial Woods North Major Subdivision Shown on Filed Map #4518, Filed in the Essex County Registers Office on July 30, 2007, Running Along the Rear of Lots 12.23, 12.24, 12.25, 12.26 and 12.27 in Block 173, Township of West Orange, County of Essex, State on Jersey (Legal-Maier)

**11. Pending Matters/New Matters/Council Discussion**

**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 AUTHORIZING THE COLLECTOR OF TAXES  
TO REFUND PAYMENT TO THE LISTED TAXPAYER DUE TO AN  
OVERPAYMENT OF TAXES DUE TO A DUPLICATE PAYMENT

WHEREAS, certain West Orange property owners or their mortgage company have made a duplicate payment for the second quarter 2020 taxes;

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 overpayments;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange that the Tax Collector and the Treasurer of the Township of West Orange be and they are hereby authorized, empowered and directed to cause to be paid to the taxpayers on the attached list sums in full and final satisfaction of the overpayment of the 2020 taxes.

<b>Block</b>	<b>Lot</b>	<b>Name &amp; Address</b>	<b>Amount</b>
70	1	Jerisa, LLC % Est of G. Mitola 29 Northfield Ave West Orange, NJ 07052	\$4,969.76
166	55	Aida Herson 42 Korwell Circle West West Orange, NJ 07052	\$3,311.00
TOTAL:			\$8,280.76

\_\_\_\_\_  
**Karen J. Carnevale, R.M.C.**  
Municipal Clerk

\_\_\_\_\_  
**Michelle Casalino**  
Council President

**Adopted: June 9, 2020**

**I hereby certify funds are available from:** \_\_\_\_\_  
**Account No./Amount**

\_\_\_\_\_  
**John Gross, Chief Financial Officer**

**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 stated;

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:

**LIST ATTACHED**

\_\_\_\_\_  
**Karen J. Carnevale, R.M.C.**  
**Municipal Clerk**

\_\_\_\_\_  
**Michelle Casalino**  
**Council President**

**Adopted: June 9, 2020**

**I hereby certify funds are available from:** \_\_\_\_\_  
**Account No./Amount**

\_\_\_\_\_  
**John Gross, Chief Financial Officer**

TAX YEAR	DATE	BLOCK	LOT	QUAL	OLD VALUE	NEW VALUE	DIFFERENCE	TX RATE	REFUND AMOUNT
2019	3/16/2020	177.12	60		17000000	15000000	2000000	0.04161	\$83,220.00
2019	3/5/2020	169.02	2	C0032	697500	650000	47500	0.04161	\$1,976.48
2018	4/24/2020	152.28	1166		1215700	800000	415700	0.04038	\$16,785.97
2019	4/24/2020	152.28	1166		1215700	800000	415700	0.04161	\$17,297.28
								<b>TOTAL</b>	<b>\$119,279.72</b>

**Resolution to Authorize the Purchase of Additional Surfacing  
through the Education Services Commission of NJ (ESCNJ)  
Cooperative Contract #ESCNJ 17/18-20**

**WHEREAS**, in 2018 the Township of West Orange (Township) launched the Participatory Budget process which allowed Township residents to choose one capital project through a non-binding referendum on the November 6, 2018 General Election Ballet; and

**WHEREAS**, from the resident's four capital project choices on the ballot, the playground with play elements for those with special needs received the majority of the vote; and

**WHEREAS**, the current older playground equipment in the Township's O'Connor Park location has been designated for this new inclusive Playground Equipment and Playground Surfacing; and

**WHEREAS**, pursuant to the provision made in the Local Public Contracts Law N.J.S.A. 40A:11-5(2) the Township as a Local Government Unit may without public advertising for goods or services enter into contracts already secured by the United States of America, the State of New Jersey, County or Municipality; and

**WHEREAS**, the Township as a member of the Educational Services Commission of NJ (BSCNJ) Cooperative awarded by Resolution No. 240-19 dated October 7, 2019 the cooperative contracts with the following Companies;

MRC  
PO Box 106  
Spring Lake, NJ 07762  
NJ State Approved Co-op #65MCESCCPS  
#65MCESCCPS  
Bid #ESCNJ 17/18-20  
Equipment Cost - \$156,318.83

RubbeRecycle  
1985 Rutgers University Blvd.  
Lakewood, NJ 08701  
NJ State Approved Co-op  
Bid #ESCNJ 17/18-20  
Surfacing Cost - \$92,292.00

**WHEREAS**, the Township desires to contract with RubbeRecycle for the placement of a stone base prior to their placement of the Rubber Bond EPDM and to delete the perimeter curb; and

**WHEREAS**, attached hereto as Exhibit "A" in the cost proposal for this additional work which is a net increase of \$10,650.95; and

**WHEREAS**, the Township Engineer requested this additional work; and

**WHEREAS**, the Township Council concurs in the foregoing, and

**WHEREAS**, sufficient funds exist for this work.

**NOW THEREFORE BE IT RESOLVED**, by the West Orange Township Council that the Contract for Surfacing for O'Connor Park be amended to include a stone base from RubbeRecycle.

**BE IT FURTHER RESOLVED** that the Purchasing Agent, on behalf of the Township issue and execute Purchase Order for the amount awarded with funds certified available by the Chief Financial Officer.

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

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**Michelle Casalino**  
**Council President**

**Adopted: June 9, 2020**

**I hereby certify funds are available from:** \_\_\_\_\_  
**Account No./Amount**

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**John Gross, Chief Financial Officer**

**BOND ORDINANCE PROVIDING FOR THE LOCAL UNIT'S ALLOCABLE SHARE OF THE FLOOD MITIGATION FACILITIES PROJECT OF THE JOINT MEETING OF ESSEX AND UNION COUNTIES, BY AND IN THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY (THE "LOCAL UNIT"); APPROPRIATING \$3,170,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,170,000 BONDS OR NOTES TO FINANCE THE COST THEREOF**

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

SECTION 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Joint Meeting of Essex and Union Counties (the "Joint Meeting") on behalf of the Township of West Orange, in the County of Essex, State of New Jersey (the "Local Unit") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the aggregate sum of \$3,170,000. Pursuant to the provisions of N.J.S.A. 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), no down payment is required as this bond ordinance authorizes obligations for environmental infrastructure projects which are funded by loans from the New Jersey Infrastructure Bank (the "I-Bank") and the State of New Jersey, acting by or through the Department of Environmental Protection.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the \$3,170,000 appropriation, negotiable

bonds of the Local Unit are hereby authorized to be issued in the principal amount of \$3,170,000 pursuant to, and within all limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Local Unit in a principal amount not exceeding \$3,170,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. The improvements hereby authorized and purposes for the financing of which said debt obligations are to be issued are for the Local Unit's allocable share of capital improvement projects being undertaken by the Joint Meeting, including, as applicable, but not limited to, (a) Phase I of the Flood Mitigation Facilities Project consisting of the construction of an Effluent Pumping Station, which will be connected to the existing twin outfall channels to the Arthur Kill, and (b) Phase II of the Flood Mitigation Facilities Project consisting of upgrades to the Co-Generation Facility, which upgrades include, but are not limited to, as applicable, the installation of two (2) additional co-generation engines in the existing Co-Generation Facility, the installation of electrical and instrumentation equipment for the new generator engines, integration of the new engines into the existing Co-Generation Facility, connection of the Biosolids Facilities to the Co-Generation electrical transmission lines, and upgrades to the substations at the Biosolids Facilities.

a. All improvements shall include, as applicable, all work, materials, equipment, engineering services and design, architectural services and designs, surveying, environmental consulting work, environmental remediation, preparation of plans and specifications, governmental permits, bid documents, conducting

and preparation of reports, plans, analysis, and studies, equipment rental, labor and appurtenances necessary therefore or incidental thereto.

b. The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$3,170,000.

c. The aggregate estimated cost of said improvements or purposes is \$3,170,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Essex make a loan, contribution or grant-in-aid to the Local Unit for the improvements authorized hereby and the same shall be received by the Local Unit prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Essex. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Essex shall be received by the Local Unit after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the Local Unit as a result of using such funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Local Unit, provided that no bond anticipation note shall mature later than one (1) year from its

date, unless such bond anticipation notes are permitted to mature at such later date in accordance with the provisions of the New Jersey Infrastructure Trust Act, N.J.S.A. 58:11B-1 ("NJIT Act"). The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Local Unit shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 8.1 of the Local Bond Law and, as applicable, the provisions of the NJIT Act. The Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the bond anticipation notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Local Unit hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Local Unit is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes

authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

a. The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Local Unit may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 30 years.

c. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Local Unit and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services within the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Local Unit, as defined in the Local Bond Law, is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$3,170,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

d. An aggregate amount not exceeding \$816,392 for items of

expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

[e. This bond ordinance authorizes obligations of the Local Unit solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).]

[e.][f.] In accordance with N.J.S.A. 40:63-134, bonds authorized and issued by the Local Unit to finance improvements or works for the Joint Meeting shall not be taken to be included within or governed by any limitation fixed by law to the amount of bonds authorized to be issued by the Local Unit.

SECTION 8. The full faith and credit of the Local Unit are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the Local Unit, and the Local Unit shall be obligated to levy *ad valorem* taxes upon all the taxable property located within the Local Unit for the payment of the principal of and the interest thereon without limitation as to rate or amount.

SECTION 9. The Local Unit reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Local Unit's official intent to reimburse any expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein

in accordance with Treasury Regulations Section 150-2.

SECTION 10. The Local Unit covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. Upon adoption hereof, the Clerk of the Local Unit shall forward certified copies of this bond ordinance to Everett M. Johnson, Esq., Wilentz, Goldman & Spitzer, P.A., bond counsel to the Joint Meeting of Essex and Union Counties, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: June, 9, 2020

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Karen J. Carnevale, Clerk

ADOPTED ON SECOND READING

DATED: June 23, 2020

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Karen J. Carnevale, Clerk

APPROVAL BY THE MAYOR ON THIS 23rd DAY OF June 23, 2020

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ROBERT D. PARISI, MAYOR

**AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF A 25' WIDE UTILITY EASEMENT LOCATED IN COLONIAL WOODS NORTH MAJOR SUBDIVISION SHOWN ON FILED MAP #4518 FILED IN THE ESSEX COUNTY REGISTERS OFFICE ON JULY 30, 2007 RUNNING ALONG THE REAR OF LOTS 12.23, 12.24, 12.25, 12.26 AND 12.27 IN BLOCK 173, TOWNSHIP OF WEST ORANGE, COUNTY OF ESSEX AND STATE OF NEW JERSEY**

An ordinance releasing, extinguishing and vacating the 25-foot-wide-utility easement located along the rear of lots 12.23, 12.24, 12.25, 12.26 and 12.27 in Block 173 on the Tax Map of the Township of West Orange, Essex County, N.J., which became of record as part of the "Colonial Woods North Major Subdivision Plat," dated January 18, 2007 and filed in the Essex County Registers Office on July 30, 2007 as Map 4518 (the "Property").

**WHEREAS**, RNC Developers, Inc. ("RNC") is the owner of property on the Colonial Woods Drive extension in the Township of West Orange ("Township"); and

**WHEREAS**, there exists a 25-foot-wide Utility Easement presently encumbering the rear of Lots 12.23, 12.24, 12.25, 12.25 and 12.27 in Block 173 on the Colonial Woods Drive extension ("Easement"); and

**WHEREAS**, the purpose of the Easement was to contain certain sanitary sewer lines and storm drain lines in that Easement area; and

**WHEREAS**, the aforementioned utilities have been eliminated with modifications to the utilities within the street right-of-way; and

**WHEREAS**, the Township's Engineer has determined that the Easement is of no use to the Township; and

**WHEREAS**, it has been determined by the Township Council, after due investigation and consideration as follows:

- (1) that the 25-foot-wide utility easement described hereinbelow is no longer necessary because the utilities were relocated into the street right-of-way; and
- (2) that it is in the best interest of the general public and the Township of West Orange that any public easements, right and interest in and to same shall be vacated, released and extinguished;

**NOW, THEREFORE, BE IT HEREBY ORDERED** by the Township Council of the Township of West Orange, County of Essex, and State of New Jersey as follows:

## SECTION I

All public easements, rights and interests to the 25' wide utility easement running along the rear of lots 12.23, 12.24, 12.25, 12.26 and 12.27 in Block 173 on the Tax Map of the Township of West Orange, Essex County, N.J., which became of record as part of the "Colonial Woods North Major Subdivision Plat," filed in the Essex County Registers Office on July 30, 2007 as Map 4518, described herein and attached hereto as Exhibit A, are hereby vacated, released and extinguished except for said easements and rights specifically set forth in the description hereinbelow:

### **DESCRIPTION OF 25' WIDE UTILITY EASEMENT RUNNING ALONG THE REAR OF LOTS 12.23, 12.24, 12.25, 12.26 AND 12.27 IN BLOCK 173 TOWNSHIP OF WEST ORANGE ESSEX COUNTY, NEW JERSEY**

**BEGINNING** at a point on the Easterly sideline of Nance Road Extension (50' wide) said point also being on the Northerly line of Public Service Electric and Gas Row (150' wide) said point is located on the Southerly outside tract line of Colonial Woods North Major Subdivision, said Major Subdivision was prepared by GC Stewart Associates Dated January 18, 2007 and filed in the Essex County Registers office on July 30, 2007 as map No. 4518.

Thence (1) running along said Southerly outside tract line of Colonial Woods North Major Subdivision and Northerly sideline of PSE&G ROW and rear lot line of lots 12.23, 12.24, 12.25, 12.26 and 12.27 South 71 degrees 54 minutes 50 seconds East, 495.54 feet to a point on the Westerly end of a 18' wide utility easement partially located on Lot 12.23.

Thence (2) along said Westerly edge of said 18' wide utility easement North 18 degrees 05 minutes 10 seconds East, 25.00 feet to the Northerly side of said 25' wide utility easement.

Thence (3) running along said Northerly line of 25' utility easement and along the rear of lots 12.23, 12.24, 12.25, 12.26 and 12.27 North 71 degrees 54 minutes 50 seconds West, 514.95 feet to the aforesaid Easterly sideline of Nance Road Extension.

Thence (4) running along the Easterly Sideline of Nance Road Extension on a curve curving to the left having a radius of 75' a central angle of 19 degrees 33 minutes 25 seconds a length of 25.60 a chord bearing of South 17 degrees 48 minutes 59 seconds East 25.48' to a point;

Thence (5) still along same, South 27 degrees 35 minutes 42 seconds East 6.25 feet to the POINT AND PLACE OF BEGINNING.

## **SECTION II**

Specifically reserved and excepted from the vacation which is described in Section I above are all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, for existing overhead lines and underground telephone lines and any other utilities that are in, adjacent to, over or under the street, and by any Cable Television Company, as defined in the “Cable Television Act”, N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof.

## **SECTION III**

The Township Clerk shall, within sixty (60) days after the effective date of this Ordinance, file a copy of the within Ordinance, certified by her, under the seal of the Township of West Orange, to be a true copy, together with proof of publication, in the Office of the Register of Deeds of the County of Essex, all in accordance with N.J.S.A. 40:67-21.

## **SECTION IV**

Any and all Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

## **SECTION V**

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

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**Karen J. Carnevale, R.M.C.**

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**Mayor Robert D. Parisi**

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**Michelle Casalino, Council President**

**Introduced : June 9, 2020**

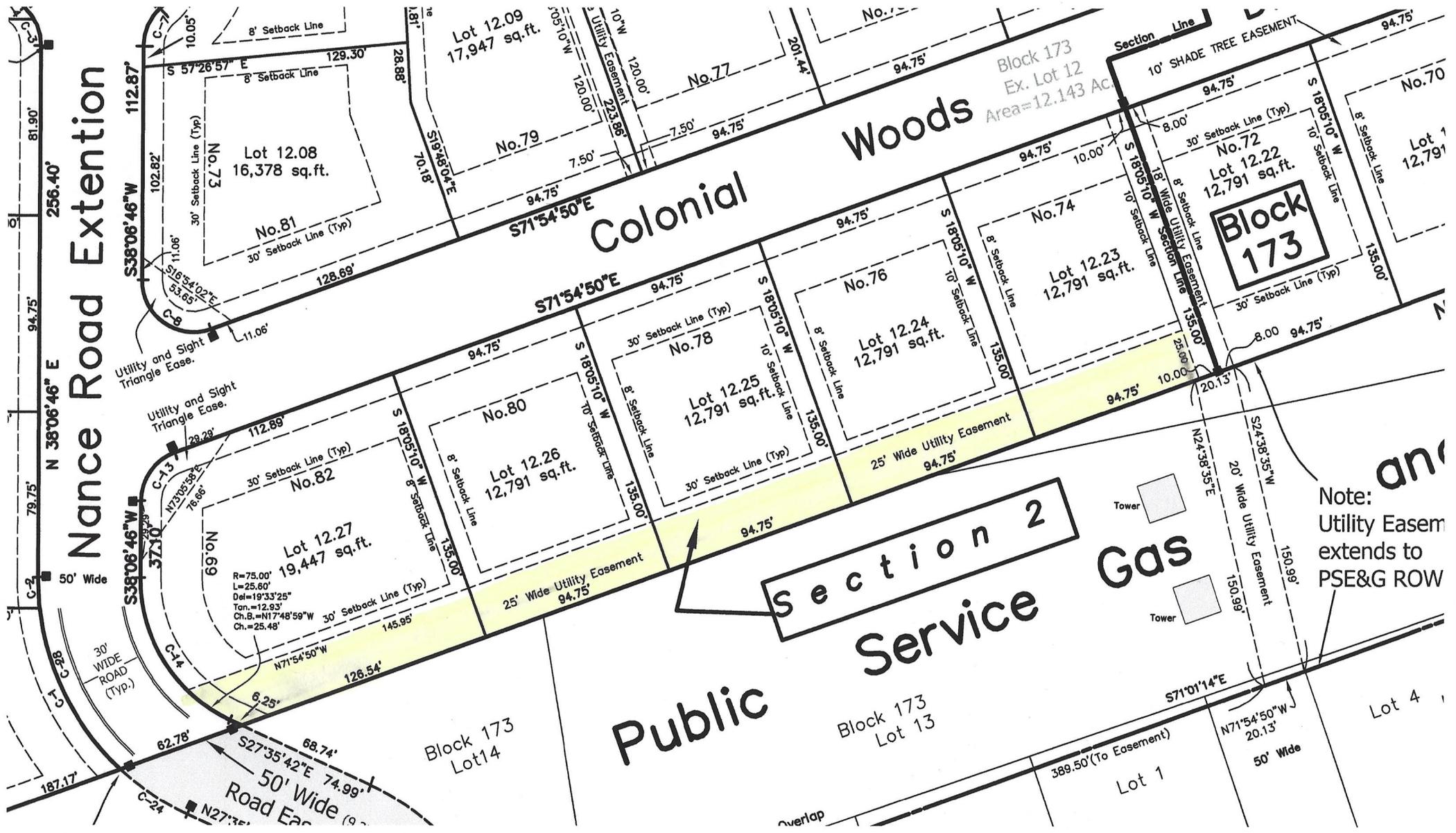
**Adopted : June 23, 2020**

**Legislative History**

This Ordinance vacates the utility easement depicted on the Map annexed hereto as Exhibit "A". The purpose of the Easement was to contain certain sanitary sewer lines and storm drain lines in that Easement area. The Easement is no longer necessary because the utilities have been eliminated with modifications to the utilities within the street right-of-way.

# EXHIBIT “A”

# Nance Road Extension



**Block 173**

**Section 2 Gas Service**

**Public**

Note: Utility Easement extends to PSE&G ROW

Block 173  
Ex. Lot 12  
Area=12.143 Ac

**Woods**

Block 173  
Lot 14

Block 173  
Lot 13

Lot 1

Lot 4

**DESCRIPTION OF A 25' WIDE UTILITY EASEMENT  
TO BE VACATED  
LOCATED IN COLONIAL WOODS NORTH MAJOR SUBDIVISION  
SHOWN ON FILED MAP #4518 FILED IN THE ESSEX COUNTY REGISTERS  
OFFICE ON JULY 30, 2007  
RUNNING ALONG THE REAR OF LOTS 12.23, 12.24, 12.25, 12.26 AND 12.27 IN  
BLOCK 173  
TOWNSHIP OF WEST ORANGE, STATE OF NEW JERSEY  
BEING FURTHER DESCRIBED AS FOLLOWS**

**BEGINNING** at a point on the Easterly sideline of Nance Road Extension (50' wide) said point also being on the Northerly line of Public Service Electric and Gas Row (150' wide) said point is located on the Southerly outside tract line of Colonial Woods North Major Subdivision, said Major Subdivision was prepared by GC Stewart Associates Dated January 18, 2007 and filed in the Essex County Registers office on July 30, 2007 as map No. 4518.

Thence (1) running along said Southerly outside tract line of Colonial Woods North Major Subdivision and Northerly sideline of PSE&G ROW and rear lot line of lots 12.23, 12.24, 12.25, 12.26 and 12.27 South 71 degrees 54 minutes 50 seconds East, 495.54 feet to a point on the Westerly end of a 18' wide utility easement partially located on Lot 12.23.

Thence (2) along said Westerly edge of said 18' wide utility easement North 18 degrees 05 minutes 10 seconds East, 25.00 feet to the Northerly side of said 25' wide utility easement.

Thence (3) running along said Northerly line of 25' utility easement and along the rear of lots 12.23, 12.24, 12.25, 12.26 and 12.27 North 71 degrees 54 minutes 50 seconds West, 514.95 feet to the aforesaid Easterly sideline of Nance Road Extension.

Thence (4) running along the Easterly Sideline of Nance Road Extension on a curve curving to the left having a radius of 75' a central angle of 19 degrees 33 minutes 25 seconds a length of 25.60 a chord bearing of South 17 degrees 48 minutes 59 seconds East 25.48' to a point;

Thence (5) still along same, South 27 degrees 35 minutes 42 seconds East 6.25 feet to the POINT AND PLACE OF BEGINNING.