1. Conference Meeting Agenda

   Documents:

   CA 6.23.20.PDF

2. Public Meeting Agenda

   Documents:

   PM 6.23.20.PDF

3. Resolution(S)

3.I. 126-20

Documents:

126-20 FY2021 MUNICIPAL AID APPLICATION.PDF

3.II. 127-20

Documents:

127-20-20 RAFFLE LICENSES 6.23.20.PDF

3.III. 128-20

Documents:

128-20 PLEASANT VALLEY PARKING LOT RECONSTRUCTION - ZENITH 6.23.20.PDF
128-20 ATTACHMENT.PDF

3.IV. 129-20

Documents:

129-20 STREET IMPROVEMENTS 2018 PHASE IIA.PDF
129-20 ATTACHMENT - STREET IMPROVEMENTS 2018 PHASE IIA.PDF

3.V. 130-20

Documents:

130-20 IMPROVEMENT - OLD INDIAN RD. - ST. CLOUD AVE. - TO N. EDGEWOOD AVE..PDF
130-20 ATTACHMENT.PDF

3.VI. 131-20

Documents:

131-20 RESOLUTION SUPPORTING 8CANTWAIT 6.23.20.PDF

3.VII. 132-20

Documents:

132-20 RESOLUTION SUPPORTING ALTERNATE ROUTE TRAINING PROGRAM.PDF

3.VIII. 133-20

Documents:

133-20 RESOLUTION AUTHORIZING EXTENSION OF CONTRACT WITH TAXSERV - 2020.PDF
133-20 EXHIBIT - NINETY DAY EXTENSION AGREEMENT BETWEEN TOWNSHIP AND TAXSERV.PDF

3.IX. 134-20

Documents:

134-20 RESOLUTION FIRE HOUSES - PROFESSIONAL DESIGN SERVICES HERBST MUSCIANO.PDF
134-20 CORRESPONDENCE - LEPORE - PROPOSALS PROFESSIONAL DESIGN SERVICES ARCHITECTURAL ENG. SERVICES FIRE STATIONS NO. 1 3 4 5.PDF
134-20 PROPOSAL FROM HERBEST MUSCIANO - FIRE STATIONS NO. 1 NO. 3 NO. 4 AND NO. 5.PDF
134-20 CORRESPONDENCE FROM ARCARI IOVINO - PROPOSAL ARCARI IOVINO FIRE HOUSES APRIL 2020.PDF
134-20 CORRESPONDENCE TO MR. MUSCIANO - RFP FIRE HOUSES FEBRUARY 2020.PDF

3.X. 135-20

Documents:

135-20 AWARD EMERGENCY GENERATORS FH 2 3.PDF
135-20 ATTACHMENT BID RESULTS- EMERGENCY GENERATORS INSTALLATION.PDF

3.XI. 136-20

Documents:

136-20 DISCHARGE OF MORTGAGE ON 71 BURNETT TERRACE 4835-0879-0464 V.1.PDF
136-20 ATTACHMENT - DOM.PDF

3.XII. 137-20

Documents:

138-20 INTRODUCTION OF THE BUDGET 6.23.20.PDF

3.XIII. 138-20

Documents:

138-20 RESOLUTION REJECTION OF BIDS FOR ST. MARKS WALKWAY.PDF
138-20 ATTACHMENT - BID RESULTS.PDF

4. Ordinance(S) On Second And Final 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

5. Ordinance(S) On First Reading

5.I. 2606-20

Documents:

2606-20 ORDINANCE PROHIBITING THE USE OF LETHAL DEVICES AND REQUIRING BODY CAMERAS.PDF

5.II. 2607-20

Documents:

2607-20 ORDINANCE REPEALING 4-12.2 FOR THE TOWNSHIP OF WEST ORANGE 6.23.20.PDF

5.III. 2608-20

Documents:

2608-20 CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL CAP 6.23.20.PDF

6. ABC Hearing

6.I. 640-20

Documents:

640-20 RENEWAL RESOLUTION (1) 6.23.2020.PDF

# Township of West Orange

**CONFERENCE MEETING AGENDA-Amended**

**Council Chambers – 66 Main Street**

**Tuesday, June 23, 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**

- **Selam Woldai, Recognition of Juneteeth Celebration 2020**

- **West Orange Recreation Department**
  **Bill Kehoe – Director**
  **Edwin Johnson – Assistant Director**

- **Update – Redevelopment**

- **Council Liaison Announcements**

- **Public Meeting – 7:00 p.m.**

Agenda is subject to change.

**PUBLIC MEETING AGENDA-AMENDED**
**Township of West Orange**
**66 Main Street – 7:00 p.m.**
**June 23, 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 June 9, 2020

5. ***Report of Township Officers - None**

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

7. ***Bills**

8. ***Resolutions**

a. **126-20** Resolution Authorizing Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Various Roads Improvement Project (Grant Writer-Spicer)

b. **127-20** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)

c. **128-20** Resolution Authorizing the Contract for the Pleasant Valley Way Parking Lot Reconstruction to Zenith Construction Services, Inc., 365 Thomas Boulevard, Orange, NJ 07050-4117 in the amount of $274,537.85 (Lepore)

d. **129-20** Resolution Authorizing the Contract for the Street Improvements Project 2018, Phase IIA to Reggio Construction, Inc., 416 East Central Boulevard, Palisades Park, NJ 07650 in the amount of $2,185,381.23 (Lepore)

e. **130-20** Resolution Authorizing the Contract for the Project Improvement of Old Indian Road, St. Cloud Avenue to North Edgewood Avenue to Cifelli & Son General Contracting, Inc., 81 Franklin Avenue, Nutley, NJ 07110 in the amount of $712,677.00 (Lepore)

f. **131-20** Resolution Affirming the Township's Commitment that the West Orange Police Department Continue to Fully Comply with All Policies Set Forth in the 8CantWait Campaign (Legal-Trenk)

g. **132-20** Resolution Urging the State of New Jersey to Permit Civil Service Communities to Hire from the Alternate Route Program (Legal-Trenk)

h. **133-20** Resolution Authorizing a 90 Day Extension Agreement Between the Township of West Orange and Tax Serv (Legal-Moon)

i. **134-20** Resolution Authorizing a Professional Services Contract with Herbst Musciano, 611 Main Street Second Floor, Boonton, New Jersey 07005 to provide Professional Architectural and Engineering Services for Fire Station No. 1, Fire Station No. 3, Fire Station No. 4 and Fire Station No. 5 (Lepore)

j. **135-20** Resolution Authorizing a Contract for the Installation of Emergency Electrical Generators, Base Bid, Fire Station No. 2 and Alternate Bid No. 1, Fire Station No.3 to D & M Electrical, LLC, 3 Borrego Drive, Woodland Park, NJ 07424, in the amount of $73,000.00. (Lepore)

k. **136-20** Resolution Authorizing a Discharge of Mortgage for Property at 71 Burnett Terrace, Block 45 Lot 24 (Zoning)

l. **137-20** Resolution to Introduce the 2020 Municipal Budget (Gross)

**9. Ordinances on Second and Final 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)

**10. Ordinances on First Reading**

a. **2606-20** An Ordinance Amending Chapter 4 to Include Sections 38 of the Revised General Ordinances of the Township of West Orange (Prohibition of Less Lethal Devices and Requirement of Body Worn Cameras) (Legal-Trenk)

b. **2607-20** An Ordinance Repealing Chapter 4, Section 12.2 (b) of the Revised General Ordinances of the Township of West Orange (Legal-Trenk)

c. **2608-20** Calendar Year 2020 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14) (Gross)

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

**12. ABC Hearing**

**a.** **640-20** Hearing on Renewal for Plenary Retail Consumption, Distribution and Club Licenses for the 2020-2021 License Term (Clerk)

**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.**

**Township of West Orange**
**Essex County, New Jersey**

**Resolution No.126-20**
June 23, 2020

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Various Roads Improvement Project.

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

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as "MA-2021-Various Roads Improvement Project-00339" to the New Jersey Department of Transportation on behalf of the Township of West Orange.

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

Certified as a true copy of the Resolution adopted by the Mayor and Council
On this 23rd day of June, 2020.

| | |
|---|---|
| _____ | _____ |
| Karen J. Carnevale, RMC<br>Municipal Clerk | Robert D. Parisi, Mayor |

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 _____

_____

| | |
|---|---|
| Karen J. Carnevale, RMC<br>Municipal Clerk | Michelle Casalino<br>Council President |

**127-20**
**June 23, 2020**

# 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):

| Organization | Date/Type of Event | Place | RL No. |
|---|---|---|---|
| Seton Hall Prep School<br>Mothers Auxiliary<br>120 Northfield Avenue<br>West Orange, NJ 07052 | November 5, 2020<br>Off Premise Merchandise | Mayfair Farms<br>481 Eagle Rock Avenue | 7688 |
| Seton Hall Prep School<br>Mothers Auxiliary<br>120 Northfield Avenue<br>West Orange, NJ 07052 | November 5, 2020<br>Tricky Tray | Mayfair Farms<br>481 Eagle Rock Avenue | 7689 |
| Seton Hall Prep School<br>Mothers Auxiliary<br>120 Northfield Avenue<br>West Orange, NJ 07052 | November 5, 2020<br>On Premise 50-50 | Mayfair Farms<br>481 Eagle Rock Avenue | 7690 |

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

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

**Adopted: June 23, 2020**

**RESOLUTION**

**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 the project Pleasant Valley Way Parking Lot Reconstruction.

**WHEREAS,** at the date time and place advertised for the opening of said bids, the Township did received six bids; and

**WHEREAS,** the Township Engineer reported that the successful bidder has strictly complied with the bid specifications and is the lowest responsible bidder; and

**WHEREAS,** the Township Council of the Township of West Orange has considered said bids and has further considered the recommendation of the Township Engineer as to the award of said bid.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of West Orange that the contract for the Pleasant Valley Way Parking Lot Reconstruction is hereby awarded to:

**ZENITH CONSTRUCTION SERVICES, INC.**
**365 THOMAS BOULEVARD**
**ORANGE, NJ 07050-4117**

in the amount of $274,537.85.

**BE IT FURTHER RESOLVED** that Certified Checks and/or Bid bonds of all except the lowest responsible bidder be forthwith returned, and the Mayor and Township Clerk be and they hereby are respectively authorized to execute and attest a contract for the foregoing.

_____
**KAREN CARNEVALE, R.M.C., MUNCIPAL CLERK**

_____
**MICHELLE CASALINO, COUNCIL PRESIDENT**

**I hereby certify funds are available from:**

_____
**JOHN GROSS, CHIEF FINANCIAL OFFICER**

**<u>ACCOUNT NO.</u>**
**2019 Capital Budget 03 2584 19 0600 110**
**$119,995.24**
**03 2584 19 0600 110**

**2018 Capital Budget 03 2544 28 0400 040**
**$94,955.00**
**2017 Capital Budget 03 2526 17 0100 010**
**03 2526 17 0100 012; $17,103.50, $19,387.45**
**2010 Capital Budget 03 2229 22 0100 003**
**$12,100.00**
**2016 Capital Budget 03 2475 16 0040 010**
**$10,996.66**

**PLEASANT VALLEY WAY PARKING LOT RECONSTRUCTION**
**BID DATE – JUNE 9, 2020**

| | |
|---|---|
| 1. ZENITH CONSTRUCTION SERVICES, INC.<br>365 Thomas Blvd.<br>Orange, NJ 07050-4112 | $274,537.85 |
| 2. ADG CONTRACTING CORP.<br>386 South Street, Suite 169<br>Newark, NJ 07105 | $291,614.00 |
| 3. PICERNO GIORDANO<br>200 Market Street<br>Kenilworth, NJ 07033 | $337,533.75 |
| 4. KULPEKSA LAND IMPROVEMENT CORP.<br>248 Franklin Ave.<br>Rockaway, NJ 07866 | $344,539.00 |
| 5. LANDTEK CONSTRUCTION LLC<br>386 Route 79<br>Morganville, NJ 07751 | $370,471.46 |
| 6. FIVE STAR CONTRACTORS BUILDERS & REMODELERS<br>305 Cortland Street<br>Belleville, NJ 07109 | $399,509.78 |

**129-20**
**June 23, 2020**

**RESOLUTION**

**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 the project Street Improvements, 2018, Phase IIA; and

**WHEREAS,** at the date time and place advertised for the opening of said bids, the Township did received seven bids; and

**WHEREAS,** the Township Engineer reported that the successful bidder has strictly complied with the bid specifications and is the lowest responsible bidder; and

**WHEREAS,** the Township Council of the Township of West Orange has considered said bids and has further considered the recommendation of the Township Engineer as to the award of said bid.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of West Orange that the contract for the Project Street Improvements 2018, Phase IIA is hereby awarded to:

**REGGIO CONSTRUCTION, INC.**
**416 EAST CENTRAL BOULEVARD**
**PALISADES PARK, NJ 07650**

in the amount of $2,185,381.23.

**BE IT FURTHER RESOLVED** that Certified Checks and/or Bid bonds of all except the lowest responsible bidder be forthwith returned, and the Mayor and Township Clerk be and they hereby are respectively authorized to execute and attest a contract for the foregoing.

_____
**KAREN CARNEVALE, R.M.C., MUNCIPAL CLERK**

_____
**MICHELLE CASALINO, COUNCIL PRESIDENT**

**I hereby certify funds are available from:**

_____
**JOHN GROSS, CHIEF FINANCIAL OFFICER**

**ACCOUNT NO.**
**2019 Capital Budget**
**Street Resurfacing**
**03 2584 19 0600 110**
**$2,185,381.23**

**129-20**

**STREET IMPROVEMENT 2018 PHASE IIA**
**BID DATE – JUNE 9, 2020**

| | |
|---|---|
| 1. REGGIO CONSTRUCTION INC.<br>416 E. Central Blvd<br>Palisades Park, NJ 07650 | $2,185,381.23 |
| 2. CIFELLI & SON GENERAL CONSTRUCTION<br>81 Franklin Ave.<br>Nutley, NJ 07110 | $2,346,104.20 |
| 3. Your Way Construction<br>404 Coit Street<br>Irvington, NJ 07111 | $2,496,188.20 |
| 4. American Asphalt & Milling Services, LLC<br>96 Midland Avenue<br>Kearny, NJ 07032 | $2,593,202.11 |
| 5. DLS CONTRACTING<br>36 Montesano Road<br>Fairfield, NJ 07004 | $2,628,871.00 |
| 6. GRANDA CONSTRUCTION CORP.<br>147 Thomas Street<br>Newark, NJ 07114 | $2,807,084.81 |
| 7. BLACK ROCK ENTERPRISES LLC<br>1316 Englishtown Road<br>Old Bridge, NJ 08857 | $2,990,059.60 |

**130-20**
**June 23, 2020**

**RESOLUTION**

**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 the project Improvement of Old Indian Road, St. Cloud Avenue to North Edgewood Avenue; and

**WHEREAS,** at the date time and place advertised for the opening of said bids, the Township received six bids; and

**WHEREAS,** the Township Engineer reported that the successful bidder has strictly complied with the bid specifications and is the lowest responsible bidder; and

**WHEREAS,** the Township Council of the Township of West Orange has considered said bids and has further considered the recommendation of the Township Engineer as to the award of said bid.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of West Orange that the contract for the Project Improvement of Old Indian Road, St. Cloud Avenue to North Edgewood Avenue, is hereby awarded to:

**CIFELLI & SON GENERAL CONTRACTING, INC.**
**81 FRANKLIN AVENUE**
**NUTLEY, NJ 07110**

in the amount of $712,677.00.

**BE IT FURTHER RESOLVED** that Certified Checks and/or Bid bonds of all except the lowest responsible bidder be forthwith returned, and the Mayor and Township Clerk be and they hereby are respectively authorized to execute and attest a contract for the foregoing.

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

_____
Michelle Casalino, Council President

I hereby certify funds are available from:

_____
John O. Gross, Chief Financial Officer

**ACCOUNT NO.**
2019 Capital Budget
Street Resurfacing
03 2584 19 0600 110 $443,472.00
Various Escrow Accounts $269,205.00

**130-20**

**IMPROVEMENT OF OLD INDIAN ROAD**
**ST. CLOUD AVENUE TO NORTH EDGEWOOD AVENUE**
**BID DATE – JUNE 9, 2020**

| | |
|---|---|
| 1. CIFELLI & SON GENERAL CONTRACTING, INC.<br>81 Franklin Ave.<br>Nutley, NJ 07110 | $712,677.00 |
| 2. ADG CONTRACTING CORP.<br>386 South Street #169<br>Newark, NJ 07105 | $779,884.00 |
| 3. GRABOWSKI CONSTRUCTION, INC.<br>770 Northfield Avenue<br>West Orange, NJ 07052 | $788,643.00 |
| 4. A. TAKTON CONCRETE CORP.<br>13 Toce Avenue<br>South River, N.J. 08882 | $836,149.75 |
| 5. BLACK ROCK ENTERPRISES LLC<br>1316 Englishtown Road<br>Old Bridge, NJ 08857 | $920,025.50 |
| 6. American Asphalt & Milling Services LLC<br>96 Midland Avenue<br>Kearny, NJ 07032 | $1,001,707.44 |

**131-20**
**June 23, 2020**

**RESOLUTION**

**WHEREAS**, the Township of West Orange (the "Township") is committed to improving the safety and lives of its residents; and

**WHEREAS,** the Township's Police Department ("WOPD") has received inquiries regarding its approach to several important and impactful policies, as set forth on www.8cantwait.org, a project by Campaign Zero ("8CantWait"); and

**WHEREAS,** 8CantWait sets forth eight (8) policies that reduce the potential harm caused by law enforcement, which include the following: (i) ban chokeholds & strangleholds; (ii) require de-escalation; (iii); require warning before shooting; (iv) exhaust all other means before shooting; (v) duty to intervene; (vi) ban shooting at moving vehicles; (vii) require use of force continuum; and (viii) require comprehensive reporting; and

**WHEREAS,** on June 4, 2020, the WOPD posted a statement on the Township's website noting that the Township currently has in place all eight policies and procedures of 8CantWait and performs consistent with these trainings; and

**WHEREAS,** the Mayor requests that the Township Council affirm its commitment to support the WOPD in its efforts and full compliance with all eight policies set forth in 8CantWait;

**NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE,** that the Township hereby affirms its commitment that the West Orange Police Department continue to fully comply with all eight policies set forth in 8CantWait; and be it further

**RESOLVED,** that a copy of this Resolution shall be made available in the Clerk's office in accordance with applicable law.

| | |
|---|---|
| **Karen J. Carnevale, R.M.C.**<br>**Township Clerk** | **Michelle Casalino**<br>**Council President** |

**Adopted: June 23, 2020**

**132-20**
**June 23, 2020**

**RESOLUTION**

**WHEREAS**, the Township of West Orange (the "Township") is committed to increasing the number of women and minorities in the Township's Police Department ("WOPD"); and

**WHEREAS,** the State of New Jersey has establish an Alternate Route Program ("ARP") designed to give individuals interested in becoming police officers, the opportunity to attend a certified police training academy at their own expense, prior to being hired by a police, sheriff, or campus police department in accordance with the provisions of N.J.S.A. 52:17B-69.1; and

**WHEREAS**, the ARP does not guarantee a candidate a position in law enforcement, it is often utilized by municipalities to hire additional officers; and

**WHEREAS**, the New Jersey Civil Service Commission has imposed restrictions on the ARP whereby Civil Service Communities, like the Township, are not permitted to hire from the Alternate Route Training Program; and

**WHEREAS**, the Township would benefit greatly from hiring graduates of ARP, especially as a way to increase the number of minorities and women within its department; and

**WHEREAS,** the Mayor requests that the Township Council urge the State of New Jersey to permit all civil service communities to hire directly from the Alternate Route Program;

**NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE,** that the Township hereby urges the Governor of the State of New Jersey to permit all civil service communities to hire directly from the Alternate Route Program; and

**RESOLVED,** that a copy of this Resolution shall be forwarded to the Governor of New Jersey, New Jersey Senate President, New Jersey Assembly Speaker, and all Legislators who represent the Township; and

**RESOLVED,** that a copy of this Resolution shall be made available in the Clerk's office in accordance with applicable law.

| | |
|---|---|
| **Karen J. Carnevale, R.M.C**<br>**Municipal Clerk** | **Michelle Casalino**<br>**Council President** |

**Adopted: June 23, 2020**

**133-20**
**June 23, 2020**

**RESOLUTION**

**WHEREAS**, pursuant to N.J.S.A. 2B:19-6(a), municipalities are authorized to enter into contracts with private collection agencies or firms for the collection of outstanding municipal court debt; and

**WHEREAS**, pursuant to Resolution No. 142-15, the Township entered into an agreement with TaxServ Capital Services N.J., LLC ("TaxServ") for the private collection of municipal court debt (collectively, the "Agreement"), pursuant to a Competitive Contracting process which was approved by the Administrative Office of the Courts ("AOC"); and

**WHEREAS**, the Agreement provided that the Agreement would be for a term of three (3) years, with an option to extend it for two additional one (1) year extensions; and

**WHEREAS**, the Agreement is scheduled to expire on July 1, 2020 after the Township had exercised the two one (1) year extensions; and

**WHEREAS**, due to the partial closure of the Township due to the COVID-19 virus state of emergency and public health emergency, the Township has been unable to commence a new procurement process for a new contract for private collection of outstanding municipal court debt; and

**WHEREAS**, the Township seeks to extend the Agreement for an additional ninety (90) days to allow TaxServ to continue to perform its duties under the Agreement at no cost to the Township.

**NOW, BE IT HEREBY RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE** that the Mayor and Township Clerk are hereby authorized to execute and attest to, respectively, the Ninety Day Contract Extension annexed hereto as

Exhibit **"A,"** between the Township of West Orange and TaxServ, for the Collection of Outstanding Municipal Court Debt (the "Contract Extension"); and it is further

**RESOLVED,** that the original of the Contract Extension between the Township and TaxServ shall be maintained in the Municipal Clerk's office.

| | |
|---|---|
| **Karen J. Carnevale, R.M.C**<br>**Municipal Clerk** | **Michelle Casalino**<br>**Council President** |

**Adopted: June 23, 2020**

# NINETY (90) DAY CONTRACT EXTENSION FOR THE CONTRACT FOR PRIVATE COLLECTION OF OUTSTANDING MUNICIPAL COURT DEBT

THIS AGREEMENT EXTENSION, effective on the 1st day of July 2020, is by and between the 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 TAXSERV CAPITAL SERVICES NJ, LLC a limited liability company of the Commonwealth of Virginia having its principal offices at 1313 Dolly Madison Boulevard, Suite LL-130, McLean, Virginia 22101-3926, hereinafter referred to as "Contractor."

W I T N E S S E T H:

**WHEREAS**, pursuant to N.J.S.A. 2B:19-6(a), the Township is authorized to enter into contracts with a private collection agency or firm for the collection of outstanding municipal court debt; and

**WHEREAS**, pursuant to a competitive contracting process and Resolution No. 142-15, the Township entered into an agreement with Contractor for the private collection of municipal court debt (collectively, the "Agreement"), which Agreement became effective on July 1, 2015; and

**WHEREAS**, the Agreement provided that the Agreement would be for a term of three (3) years, with an option to extend the Agreement for two (2) additional one-year extensions; and

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

1. The Township and Contractor agree to extend the term of the Agreement for a limited additional term of ninety (90) days.

2. The Commencement Date of this extension shall be deemed as of July 1, 2020,

3. All other terms of the Agreement shall remain valid and binding.

ATTEST:

TOWNSHIP OF WEST ORANGE

_____
KAREN CARNEVALE,
MUNICIPAL CLERK

BY: _____
ROBERT D. PARISI,
MAYOR

ATTEST:

TAXSERV CAPITAL SERVICES NJ, LLC

_____
NAME:

BY: _____
ROGER BLAIN,
SENIOR VICE PRESIDENT

**134-20**
**June 23, 2020**

# RESOLUTION

**WHEREAS,** the Township of West Orange requested proposals from five (5) architectural firms to provide professional services for Architectural and Engineering Services for improvements to Fire Station No. 1, Fire Station No. 3, Fire Station No. 4 and Fire Station No. 5; and

**WHEREAS,** the services of an architectural firm are required to provide the necessary professional design services for architectural and mechanical, electrical and plumbing improvements of these four fire stations; and

**WHEREAS,** Herbst Musciano of Boonton, New Jersey and Arcari & Iovino of Little Ferry, New Jersey responded to the Request for Proposal; and

**WHEREAS,** both firms were responsive to the Township's Request for Qualifications; and

**WHEREAS,** Herbst Musciano, of Boonton, New Jersey submitted a proposal dated March 2, 2020 to provide professional services for Architectural Services and Engineering Services for four Fire Stations, No. 1, No. 3, No. 4 and No. 5 for a fee not to exceed $93,653.00; and

**WHEREAS,** the fee proposal of Herbst Musciano was less than the fee proposal of Arcari & Iovino which was $103,230.00; and

**WHEREAS,** the proposal of Herbst Musciano is acceptable to the Municipal Engineer; and

**WHEREAS,** sufficient funds exist for this work; 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 the Township be and hereby authorized to enter into a Professional Services Contract with Herbst Musciano, 611 Main Street Second Floor, Boonton, New Jersey 07005 to provide Professional

Architectural and Engineering Services for Fire Station No. 1, Fire Station No. 3, Fire Station No. 4 and Fire Station No. 5 in accordance with their proposal dated March 2, 2020.

**BE IT FURTHR RESOLVED** that a copy of this Resolution be published in the West Orange Chronicle within 10 days of approval in accordance with N.J.S.A. 40A:11-5(1) (a)(i).

| | |
|---|---|
| **Karen J. Carnevale, R.M.C., Municipal Clerk** | **Michelle Casalino, Council President** |

**Adopted: June 23, 2020**

**I hereby certify funds are available from ACCOUNT NO. 03 2507 17 0100 010 $88,749.95**
**03 2507 17 0100 020 $ 4,903.05**

**John O. Gross, Chief Financial Officer**

# TOWNSHIP OF WEST ORANGE

*25 LAKESIDE AVENUE, WEST ORANGE, N.J. 07052*

## DEPARTMENT OF PUBLIC WORKS

**ROBERT D. PARISI**
*Mayor*

Tel: (973) 325-4160
Fax: (973) 669-9588
Email: llepore@westorange.org

**LEONARD R. LEPORE**
*Director/Municipal Engineer*


June 17, 2020

Mayor and Township Council
Municipal Building
66 Main Street
West Orange, New Jersey 07052

RE: **REQUEST FOR PROPOSALS**
**PROFESSIONAL DESIGN SERVICES**
**ARCHITECTURAL AND ENGINEERING SERVICES**
**FIRE STATIONS NO. 1, NO. 3, NO. 4 AND NO. 5**

Mayor Parisi, Council President Casalino and Council Members:

By letter dated February 3, 2020, I requested proposals from five architectural firms to provide Professional Design Services for architectural and mechanical, electrical and plumbing improvements for Fire Station No. 1, Fire Station No. 3, Fire Station No. 4 and Fire Station No. 5. Those firms responded to the Township's Request for Qualifications for calendar year 2020. Of the five only two submitted a proposal: Herbst Musciano of Boonton, New Jersey and Arcari + Iovino of Little Ferry, New Jersey. Netta Architects of Mountainside, New Jersey and PS&S of Warren, New Jersey responded that they did not have the capability to perform the work at this time. Settembrino Architects of Red Bank, New Jersey did not respond. A copy of the RFP and the responses of Herbst Musciano and Arcari + Iovino are enclosed.

Based on the review of the proposals, both firms were responsive to the proposal. However, the fee of Herbst Musciano is lower than that of Arcari + Iovino: $93,653.00 and $103,238.00 respectively. At the time of construction there will additional professional services required for asbestos abatement and removal in all but Fire House No. 5. Consequently, I recommend a Professional Services Contract be awarded to the firm of Herbst Musciano, 611 Main Street, Second Floor, Boonton, New Jersey 07005 to provide professional architectural and engineering services in accordance with their proposal dated March 2, 2020 for a fee not to exceed $93,653.00. They provided architectural services for West Orange on other projects, and their work is very good. A Resolution of Award for a Professional Services Contract is attached.

If you have any questions on the Request for Proposals or the Proposal of Herbst Musciano, please contact me.

Very truly yours,

Leonard R. Lepore, Municipal Engineer
Director of Public Works

LRL/az

cc: John K. Sayers
John Gross
Ken Kayser
Gary Musciano

From: Andrea Zeligman
Sent: Wednesday, June 17, 2020 2:20 PM
To: Karen Carnevale; Jack Sayers; John Gross; kenkayser@verizon.net; GMusciano@HerbstMusciano.com
Cc: Leonard Lepore; Andrea Zeligman
Subject: Professional Design Services Architectural and Engineering Services Fire Stations No. 1,No. 3, No. 4 and No. 5
Attachments: Proposals Professional Design Services Architectural & Eng. Services Fire Stations No. 1, 3, 4 &5.pdf; Resolution Fire Houses - Professional Design Services Herbst Musciano.docx; RFP Fire Houses February 2020.pdf; Proposal, Arcari, Iovino Fire Houses March 2020.pdf; Proposal, Arcari, Iovino Fire Houses April 2020.pdf

Please see attached.

Thanks,

Andrea

Andrea Zeligman
Keyboarding Clerk
Department of Public Works/ Engineering Division
25 Lakeside Avenue
West Orange. NJ 07052
Phone: (973) 325-4160
Fax: (973) 669-9588
engineering@westorange.org
www.westorange.org

? Please consider the environment before you print this email
America, Land of the Free, Because of the Brave! C

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all copies.

arcari + iovino
ARCHITECTS PC

One Katherine Street
Little Ferry, NJ 07643

tel: 201.641.0600
fax: 201.641.0626

www.aiarchs.com

Edward Arcari, AIA, PP
Anthony Iovino, AIA, PP, LEED

April 21, 2020

Mr. Leonard R. Lepore, P.E., Director/Municipal Engineer
West Orange Department of Public Works
25 Lakeside Avenue
West Orange, NJ

**RE: PROPOSAL FOR ARCHITECTURAL, MECHANICAL, ELECTRICAL, & PLUMBING DESIGN SERVICES AT FIRE STATIONS NO. 1, NO. 3, NO. 4, AND NO. 5**

Dear Mr. Lepore:

We are pleased to submit our proposal for professional architectural and engineering services for improvements to four West Orange Fire Stations. As we understand, the Township intends to implement interior and exterior improvements as outlined in the February 3, 2020 document issued by your office.

We have read through each of the Needs Assessments and believe that we have a good understanding of the work. We currently are doing similar renovations to Teaneck's Fire Station #4 and have significant experience with the work proposed in your project.

We have prepared a list of services generally applicable to all four buildings. As well, we have secured quotes for engineering services as needed to address the improvements outlined. A fee schedule by discipline and by phase for each project is also attached.

## Company Information

Arcari + Iovino Architects were awarded the New Jersey - American Institute of Architects **Firm of the Year** for 2011. Our firm has performed numerous municipal projects throughout our 28 years in business and we understand the typical requirements of these types of projects. Our variety of experience with projects of all size and types enables us to understand and meet your goals and needs. The owners of the professional corporation are Mr. Edward Arcari and me, Mr. Anthony Iovino. Along with our Associate, Mr. Joseph Frangiosa, we take a hands-on approach to design and our client's needs. This approach leads to a trusting and repetitive clientele.

## Staff Information

We maintain a staff of 14 including 6 licensed professionals, two of which are LEED accredited. Our staff is assigned to a client's project early on and typically remain with that project throughout its course. That consistency benefits both our team and the client, ensuring that the design intent and the needs of the client are carried through.

## Value

Our company services have always been perceived as a good value by our clients. We understand the effort required for public projects and craft our fee to reflect the appropriate level of time and services for each project. The best clients are those who have been involved with improvement projects and recognize the role and value an architect has with the overall project, from design through to completion. We believe you will find that value with our firm.

Enclosed you will find our expected scope of services along with our proposed fee. If you have any questions or if you require additional information, please let us know. We hope to have the opportunity to provide these services to the Township and look forward to hearing from you.

Sincerely,

Anthony Iovino, AIA, PP, LEED
Arcari + Iovino Architects, P.C.
*American Institute of Architects - NJ Chapter* ***Firm of the Year*** *2011*

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ARCHITECTS PC

## Construction Documents Phase

The goal of this phase is to resolve significant design issues such as the technical aspects of materials and building systems. Mechanical, electrical, plumbing, fire protection and structural design concepts are investigated and integrated into the design. Potential cost savings in construction materials, systems, and energy efficiencies are considered and implemented.

The Construction Document phase results in a final set of drawings and specifications which set forth in detail the requirements for the building's construction. Drawings are the illustrative component of construction documents while the specifications are written requirements pertaining to building materials, equipment and construction systems that outline the project standards to be achieved. Construction Documents allow for the bidding, permits, and the construction process.

- Architects and Engineers to visit site to photograph and confirm conditions
- Review of relevant building codes
- Confer with consulting engineers for advice on building systems and space required for same
- Begin research on materials, equipment, fixtures and building systems
- If required, the mechanical and electrical engineers will contact utility companies and public authorities for all services and initiate approval process. They will also investigate and report on their review of all applicable local, public, and utility regulations.
- Prepare preliminary technical drawings to include plans, elevations, sections, and schedules
- Assemble preliminary lighting fixture cut sheets
- Assemble interior and exterior finish materials and conduct review meeting with Owner
- Conduct group coordination meetings with consultants as needed
- Select final finish materials for interior and exterior of building
- Offer an opinion of the likely construction value (not a detailed estimate)
- Submit progress documents to Owner for review and records
- Coordinate electrical, mechanical, plumbing, fire protection and structural engineering designs
- Prepare the bidding process front-end documents for early attorney review
- Finalize the construction drawings
- Preparation of the technical specifications
- Obtain Owner instructions on insurance, bonds, construction contract and bidding procedures
- Conduct a review meeting with the Building Department prior to bid
- Incorporate any Building Department comments
- Assemble final drawings, specifications, and project manual
- Submit Drawings and Project Manual to the Owner for review and approval

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## Bidding Phase

During the bidding phase we would assemble the bid documents and assist with the distribution of sets to bidders. We will answer their questions during the process and attend the bid opening. We would help you evaluate the bids and would prepare a summary letter of our findings. This period includes the time to secure a contract from the awarded bidder.

- Assist with form of legal ad
- Prepare and distribute bid documents (We typically distribute CD's free of charge)
- Conduct a pre-bid conference
- Issue Addenda to bids if necessary
- Attend bid opening
- Assist the Township in the receipt, tabulation, and analysis of bids
- Review bids for responsiveness
- Assist the Township in the process of acceptance or rejection of bids
- Assist the Township's legal counsel in preparation of construction contracts
- Assist the Township in preparing and sending the Contractor a Notice-to-Proceed

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## Construction Administration Phase

The Construction Administration phase is when the architect makes observations to determine that the construction is conforming to the drawings and specifications. Administrative tasks occur at the architect's and consultant's offices throughout the phase whereas they review submittals, respond to contractor questions, and help resolve issues as they arise during construction. Records are maintained of all significant correspondence, meetings, and submittals. At the end of construction, we perform a final review 'punch list' and gather the contractor's close-out documents.

We are assuming a **3-month** CA period for all the fire stations except FS#5 which is **1 month**.

- Prepare signed and sealed drawings for the permit application
- Conduct a pre-construction meeting and issue minutes
- Develop and implement a system of distribution for project correspondence and submittals
- Create construction contract administration file logs which may include:

| | |
|---|---|
| Correspondence and meeting reports | Field reports |
| Request for Proposals (RFP's) | Request for Information (RFI's) |
| Change Orders | Construction Change Directives (CCD's) |
| Applications for payment | Submittals |

- Prior to the first application for payment, receive and review Contractor's schedule of values
- Obtain and review Contractor's submittal schedule (shop drawings, product data, etc.)
- Review periodic applications for payment by contractor
- Establish site observation and project meeting schedules
- Architects and engineers to visit site for meetings and observations (typically bi-weekly)
- Keep township informed on the progress of the work through field reports for each site visit
- Obtain and review the Contractor's updated progress schedule and advise the township of potential revisions to anticipated occupancy date
- Receive submittals, review them, take appropriate action, and return to the Contractor
- Review Contractor's proposed costs for any changes
- Receive Contractor's notification of substantial completion and punch list
- Visit the project to confirm substantial completion
- Prepare a Certificate of Substantial Completion
- Review the close-out submittals for completeness
- Review the Contractor's application for final payment, including required attachments such as waivers of lien and consent of surety documentation
- Project closeout and final site visit
- Issue a final certificate of payment

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## Fee Proposal

The basic services for the project include the following professional services:

1. Architecture
2. Interior Design for room finishes (excludes furniture and equipment specification)
3. Structural Engineering (limited to lintel replacements)
4. Mechanical Engineering
5. Electrical Engineering
6. Plumbing Engineering

Our fee for the basic Architectural and Engineering Services is as follows:

FEE PER DISCIPLINE

| | Omdex (MEP) | A+I Archs | Structural | Printing | Total |
|---|---|---|---|---|---|
| fire station 1 | $15,500 | $16,990 | $1,500 | $756 | $34,746 |
| fire station 3 | $10,900 | $23,570 | $1,500 | $756 | $36,726 |
| fire station 4 | $10,200 | $22,460 | $1,500 | $756 | $34,916 |
| fire station 5 | $0 | $8,170 | $0 | $151 | $8,321 |
| Totals | $36,600 | $71,190 | $4,500 | $2,419 | $114,709 |
| | | | Discount if contracted concurrently | | $103,238 |

FEE PER PHASE

| | Documents (CD) | Public Bidding | Construction (CA) | Printing | Total |
|---|---|---|---|---|---|
| fire station 1 | $25,560 | $630 | $7,800 | $756 | $34,746 |
| fire station 3 | $27,540 | $630 | $7,800 | $756 | $36,726 |
| fire station 4 | $25,730 | $630 | $7,800 | $756 | $34,916 |
| fire station 5 | $4,480 | $630 | $3,060 | $151 | $8,321 |
| Totals | $83,310 | $2,520 | $26,460 | $2,419 | $114,709 |

**Conditions of the Proposal**

1. As an overall project cost savings, the data, phone, AV, CCTV equipment and wiring design is by others.
2. Third-party code required inspections during construction by others.
3. Detailed cost estimating is excluded but can be provided as an additional service.
4. Hazardous materials testing and abatement is not included. We will coordinate the project scope with your asbestos control monitoring firm.
5. Project will be bid as a single-prime contract for each building.

# Hourly Rates

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## Schedule of Hourly Rates

| | |
|---|---|
| Principal Architect/Engineer | $160. |
| Project Architect/Engineer | $135. |
| Project Manager | $125. |
| Senior Technical Staff | $100. |
| Technical Staff/Drafting | $ 85. |
| Administrative | $ 45. |

## Reimbursable Expenses

Reimbursable expenses would include printing and shipping costs only, we do not charge for phone, fax, and travel costs. Below is a list of typical reimbursable expenses and estimated costs:

| | |
|---|---|
| Large format black & white copying: | $0.45/sf |
| 11" x 17" color copying: | $3.00/sheet |
| 11" x 17" black & white copying: | $0.20/page |
| Letter & legal copies: | $0.10/page |
| Overnight Shipping: | UPS standard overnight rates |

*Please note that the project base costs include 20 sets of prints as requested.

# TOWNSHIP OF WEST ORANGE

*25 LAKESIDE AVENUE, WEST ORANGE, N.J. 07052*

## DEPARTMENT OF PUBLIC WORKS

**ROBERT D. PARISI**
*Mayor*

Tel: (973) 325-4160
Fax: (973) 669-9588
Email: llepore@westorange.org

**LEONARD R. LEPORE**
*Director/Municipal Engineer*


February 3, 2020

Gary Musciano
Herbst Musciano
611 Main Street, 2nd Floor
Boonton, New Jersey 07005

RE: **REQUEST FOR PROPOSALS**
**ARCHITECTURAL, MECHANICAL, ELECTRICAL**
**PLUMBING DESIGN SERVICES**
**FIRE STATION NO. 1, 415 VALLEY ROAD**
**FIRE STATION NO. 3, 93 RIDGEWAY AVENUE**
**FIRE STATION NO. 4, 280 PLEASANT VALLEY WAY**
**FIRE STATION NO. 5, 25 MT. PLEASANT PLACE**

Dear Mr. Musciano:

The Township of West Orange requests proposals from professional firms capable of providing architectural, mechanical, electrical and plumbing design services for improvements to four West Orange Fire Stations. Those stations are Fire Station No. 1, 415 Valley Road; Fire Station No. 3, 93 Ridgeway Avenue; Fire Station No. 4, 280 Pleasant Valley Way and Fire Station No. 5, 25 Mt. Pleasant Place. Attached please find an outline of the minimum required improvements at each Fire Station. Your services for each Fire Station shall be a separate proposal. The priority order for the Township is Station No. 1, Station No. 3, Station No. 4 and Station No. 5. Although you will be submitting separate proposals if there are monetary economies that will accrue to the Township by awarding multiple professional service contracts to your firm, please provide that information. Your proposal shall include professional services to prepare design plans, specifications and bid documents; construction cost estimates; bidding period services including bid analysis, construction inspection and contract management and administration. The latter will include approval of shop drawings and equipment details, payment review and payment approval. It also includes periodic inspection and attendance at project meetings.

The improvements were developed from a facility assessment of the Fire Stations performed in 2015 by the architectural firm Parette-Somjen of Rockaway, New Jersey. Copies of the reports for the four Fire Stations are attached.

Also an Asbestos Management Plan was developed for Fire Station No. 1, Fire Station No. 3 and Fire Station No. 4. Copies of those reports are attached. Asbestos abatement shall be considered when

designing for the outlined improvements. Fire Station No. 5 was renovated in 1997 and does not have asbestos containing materials.

The Proposals are due by Monday, March 3, 2020 and they shall be submitted to Leonard R. Lepore, P.E. , Municipal Engineer, Director of Public Works, 25 Lakeside Avenue, West Orange, New Jersey 07052. The fee for both the design and bid phase, including construction cost estimates, and the construction inspection management and administration phase shall be a not to exceed lump sum price. The former shall also include 20 sets of plans, specifications and bid documents.

To arrange to inspect each facility please contact Assistant Director Nick Salese at nsalese@westorange.org or on his cell (973) 725-7456 or DPW Supervisor Lou Reynolds at lreynolds@ westorange.org or (973) 725-8774.

Very truly yours,

Leonard R. Lepore, Municipal Engineer
Director of Public Works

LRL/tp
enc.
cc: John K. Sayers
John Gross
Fire Chief Anthony Vecchio
Nick Salese
Lou Reynolds

file: request for proposal architectural, mechanical, electrical, plumbing fire stations 1, 3, 4, 5

**IMPROVEMENTS AND RENOVATIONS TO**
**FIRE STATION NO. 1 OPERATIONS WING ONLY**
**415 VALLEY ROAD**
**DESIGN, SPECIFICATIONS, BID DOCUMENTS**
**BID ANALYSIS**
**CONSTRUCTION INSPECTION**
**CONSTRUCTION MANAGEMENNT AND ADMINISTRATION**

1. **SITE**
   A. No Improvements

2. **BULDING EXTERIOR**
   A. **Windows**
      1. Replace all windows with double pane low-e glass with insulated frames
      2. Re-caulk sill joints
      3. Repair/replace lintels and sills as necessary
   B. **Walls**
      1. Repair/repoint all brick mortar joints
      2. Reseal all brick
   C. **Doors**
      1. Replace all doors and frames
   D. **Soffits**
      1. Protect plywood soffit over windows where exposed
   E. **Miscellaneous**
      1. Install commercial grade awning over exterior grill area

3. **BUILDING INTERIOR**
   A. **Flooring**
      1. Repair and level concrete slab where necessary
      2. Repair/replace all VCT Flooring
      3. Replace all VAT Flooring
      4. Repair/replace all vinyl wall base
      5. Replace shower room floor
   B. **Walls**
      1. Repair cracks in CMU walls due to uneven settlement and vibration
      2. Refinish walls as necessary
   C. **Ceilings**
      1. Repair/replace all ceiling tiles and lath and plaster ceilings
   D. **Doors**
      1. Replace all residential grade doors with commercial grade ones
      2. Replace closet doors
      3. Paint door to shower room

   It is the general intent to refresh the interior of Fire Station No. 1

4. **MECHANICAL, ELECTRICAL, PLUMBING**
   A. **HVAC**
      1. Replace gas fired boiler and circulating pumps
      2. Repair/replace fan coil units and baseboard radiation covers
      3. Insulate hot water heating piping in boiler room

4. Upgrade all ceiling and roof exhaust fans, provide for fresh air
5. Upgrade controls
6. Provide split air conditioning system for various areas
7. Repair/replace unit heater in kitchen
8. Repair/replace all heater valves
9. Repair/replace shower room heater

**B. Electrical**

1. Cover exposed wiring and open junction boxes

**C. Plumbing**

1. Upgrade all plumbing fixtures and hardware as needed – water closets, sinks, showers – to low flow
2. Consider making one shower stall from two existing stalls
3. Raise shower heads
4. Replace shower base/bases
5. Replace restroom accessories

**D. Fire Alarms**

1. Upgrade existing fire alarm system

## 5. BARRIER FREE CODE, ADA COMPLIANCE

**A. Hardware**

1. Provide code compliant door hardware

**B. Restrooms**

1. Consider providing an accessible shower

## 6. ASBESTOS ABATEMENT

As necessary to implement improvements

## 7. TEMPORARY FACILITIES DURING RENOVATIONS

## 8. CONSTRUCTION COST ESTIMATE

**IMPROVEMENTS AND RENOVATIONS TO**
**THREE WEST ORANGE FIRE STATIONS**
**DESIGN, SPECIFICATIONS, BID DOCUMENTS**
**BID ANALYSIS**
**CONSTRUCTION MANAGEMENT AND ADMINISTRATION**

**FIRE STATION NO. 3**
**93 RIDGEWAY AVENUE**

**1. SITE**

A. New barrier free code complaint ADA front entrance

**2. BUILDING EXTERIOR**

A. ADMINISTRATION, DORMITORY, KITCHEN WING

1. Repair/replace/repaint flagpole
2. Repair leak into basement by louvers
3. New Bilco door to basement on proper base
4. Repair/replace window shutters

B. APPARATUS AREA

1. Repair/replace/repair all garage door lintels and repair/replace brick above lintels.
2. Restore cupola: repair, repaint, repair metal roofing

C. **THROUGHOUT**

1. Repoint/reseal all exterior brick including chimney
2. Fill holes in brick
3. Replace/repair all building fascia
4. Improve all building site lighting

**3. INTERIOR**

A. ADMINISTRATION, DORMITORY KITCHEN WING

1. Flooring, replace throughout
2. Walls, replace/repair/repaint throughout
   Repair leak in ceiling from roof by chimney
   Repair shower title
3. Ceiling, repair/repaint exposed metal deck ceiling in day room
   Remove/replace acoustical tiles in dormitory/weight room
   Repair/replace/repaint all other ceilings
4. Doors, replace and upgrade all interior and exterior passage doors
   Replace door hardware

5. Stairs, upgrade stair rail
   Repair/repaint rusting stairs
6. Windows, replace, double pane, low-e glass, insulated frames
7. Miscellaneous, repair radiator covers
   Treat mold in shower rooms, walls and ceilings
   Replace, urinal partition

It is the general intent to refresh the interior of Fire Station No. 3

## 4. MECHANICAL, ELECTRICAL, PLUMBING

### A. HVAC

1. Replace all windows and through the walls air conditioning units with split systems for each main area
2. Insulate hot water heating piping
3. Evaluate condition of heat feed lines, replace as needed
4. Replace/upgrade all HVAC controls
5. Improve exhaust systems in bathrooms and shower areas
6. Provide grills for exhaust fans in interior in interior spaces
7. Identify air compressor wiring and piping to be removed

### B. ELECTRICAL

1. Remove/replace/upgrade main panel and distribution equipment
2. Verify active wiring. Identify wiring and equipment not used to be removed
3. Provide additional receptacles and circuits for the watch room
4. Update panel schedules
5. Support and cover all exposed wiring

### C. PLUMBING

1. Upgrade all plumbing fixtures to low flow with ADA compliant flush valves and handles
2. Provide pit cover for sump pump
3. Provide a decontamination sink

### D. FIRE ALARMS

1. Review and upgrade fire alarm system as required.
2. Identify abandoned equipment to be removed

## 5. BARRIER FEEE CODE, ADA COMPLAINT

1. Upgrade doors, plumbing fixtures, front public entrance to barrier free code and ADA compliance where necessary. Provide ADA Complaint water fountain.

## 6. ASBESTOS ABATEMENT

AS NECESSARY TO IMPLEMENT IMPROVEMENTS

## 7. TEMPORARY FACILITIES DURING RENOVATIONS

## 8. CONSTRUCTION COST ESTIMATES

NOTE: Energy efficient lighting was recently installed on the inside and outside of Fire Station. This lighting shall be incorporated into all building improvements.

**FIRE STATION NO. 4**
**280 PLEASANT VALLEY WAY**

**1. SITE**

A. New barrier free code complaint
ADA front entrance

**2. BUILDING EXTERIOR**

A. WALLS

1. Repair cracks
2. Repoint all brick
3. Reseal all brick
4. Replace/repaint fascia where necessary
5. Replace both water deflectors over main doors

B. WINDOWS

1. Replace all windows with double pane low-e glass with insulated frames
2. Re-caulk sill joints

C. DOORS

1. Lintels, repair/repaint/replace as necessary
2. Metal bases, repair/repaint/replace as necessary
3. Steel plate headers, repair/repaint/replace as necessary
4. Replace all man/woman passage doors
5. Replace trim in end bay apparatus door
6. Replace trim over center bay door

D. MISCELLANEOUS

1. Repair and clean soffits
2. Upgrade and improve soffit lighting
3. Upgrade and improve outdoor lighting

**3. BUILDING INTERIOR**

A. FLOORS

1. Replace all floors in administration, dormitory and kitchen wing

B. WALLS

1. Repair/repaint walls in bathroom above tiles

2. Repair ceramic wall title in uniform alcove
3. Repair/repaint crack in CMU wall in EMS storage
4. Repair/repaint wall in apparatus bay due to settlement

C. CEILING

1. Replace ceiling in watch room
2. Repair/repaint ceiling in bathroom above ceramic title
3. Replace dormitory ceiling
4. Replace ceiling system in bathrooms

D. DOORS

1. Replace all passage doors, interior and exterior, including frames with barrier free code, ADA compliant doors with hardware (overhead doors excluded)

E. STAIRS

1. Repair/repaint stairs into basement

F. MISCELLANEIOUS

1. Repair the baseboard heating system in the storage and kitchen areas

It is the general intent to refresh the interior of Fire Station No. 4

**4. MECHANICAL, ELECTRICAL, PLUMBING**

A. HVAC

1. Remove all window and through the wall air conditioners and replace with split air conditioners systems for each main area
2. Update HVAC controls
3. Improve exhaust in bathrooms and shower areas. Add exhaust fans as necessary. Replace existing louvers
4. Disconnect hot water unit heaters in apparatus bay not in use and remove

B. ELECTRICAL

1. Improve building exterior site lighting
2. Identify equipment that is abandoned and to be removed
3. Properly support and cover exposed wiring
4. Identify circuits on electrical panels
5. Identify all wiring that is actively used and identify all wiring for abandoned equipment to be disconnected and removed along with the equipment
6. Confirm all wiring and circuits

C. PLUMBING

1. Upgrade all fixtures with low flow fixtures and that meet barrier free code, ADA
2. Provide decontamination sink
3. Provide new cover and support structure for separate pit in apparatus bay
4. Provide hardware for shower control valve

D. FIRE ALARM

1. Review and update, as required, all horns and strobes in all locations
2. Identify old and abandoned equipment to be removed

**5. BARRIER FREE CODE, ADA COMPLAINT**

A. SITE

1. Provide Barrier Free access in front of building

B. DOORS

1. All doors to be ADA compliant with proper hardware

C. BATHROOMS

1. Upgrade restroom accessibility and fixtures

D. DRINKING FOUNTAIN

1. Upgrade fountain to ADA compliance

**6. ASBESTOS ABATEMENT**

AS NECESSARY TO IMPLEMENT IMPROVEMENTS

**7. TEMPORARY FACILITIES DURING RENOVATIONS**

**8. CONSTRUCTION COST ESTIMATE**

NOTE: Energy efficient lighting was recently installed on the inside and outside of the Fire Station. This lighting shall be incorporated into all building improvements.

**FIRE STATION NO. 5**
**25 MT. PLEASANT PLACE**

**1. BUILDING EXTERIOR**

A. ROOF

1. Replace hose tower ladder

B. WALLS

1. Design system in split face block walls, 1997 stair tower addition to prevent water migration into CMU block of northwest stair tower

**2. CONSTRUCTION COST ESTIMATES**

135-20
June 23, 2020

**RESOLUTION**

**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 the Installation of Emergency Generators at Fire Station No.2, Fire Station No.3, and the Municipal Building; and

**WHEREAS**, at the date time and place advertised for the opening of said bids, the Township received seven bids; and

**WHEREAS**, the Township Engineer reported that the successful bidder has strictly complied with the bid specifications and is the lowest responsible bidder; and

**WHEREAS**, the Township Council of the Township of West Orange has considered said bids and has further considered the recommendation of the Township Engineer as to the award of said bid.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of West Orange that the contract for the Installation of Emergency Electrical Generators, Base Bid, Fire Station No. 2 and Alternate Bid No. 1, Fire Station No.3 is hereby awarded to:

**D & M ELECTRICAL, LLC**
**3 BORREGO DRIVE**
**WOODLAND PARK, N.J. 07424**

in the amount of $73,000.00.

**BE IT FURTHER RESOLVED** That the Township Engineer is authorized to rebid the installation of the Emergency Generator for the Municipal Building, after reducing the scope of the project and the costs associated thereof; and

**BE IT FURTHER RESOLVED** that Certified Checks and/or Bid bonds of all except the lowest responsible bidder be forthwith returned, and the Mayor and Township Clerk be and they hereby are respectively authorized to execute and attest a contract for the foregoing.

| | |
|---|---|
| **Karen J. Carnevale, R.M.C., Municipal Clerk** | **Michelle Casalino, Council President** |

**Adopted: June 23, 2020**

**I hereby certify funds are available from.**

**ACCOUNT NO.**
**01 2040 41 2240 214**
**Grant Reserves, Hazard Mitigation $45,797.61**
**03 2407 14 0020 060**
**2014 Capital Budget**
**Indoor Facilities $27,202.39**

**John O. Gross, Chief Financial Officer**

**135-20**

**BID DATE: June 16th, 2020**
**EMERGENCY GENERATORS INSTALLATION**

| | | |
|---|---|---|
| 1. | Mike Spagnuolo Electrical Contractor<br>Mike Spagnuolo<br>69 Oakridge Road<br>West Orange, NJ 07052<br>973-325-6812 - Tel<br>206-378-2709<br>msec@mikeywirs.com | Base Bid: $82,990.00<br>Alternate Bid 1: $123,850.00<br>Alternate Bid 2: $116,830.00<br>Alternate Bid 2A: $103,980.00 |
| 2. | Astro Electrical Contractor, LLC<br>Walter H. Paz<br>1415 E. Elizabeth Ave.<br>Linden, NJ 07036<br>908-925-2113 - Tel<br>908-925-2115 – Fax<br>dpastro20@gmail.com | Base Bid: $58,000.00<br>Alternate Bid 1: $74,000.00<br>Alternate Bid 2: $138,000.00<br>Alternate Bid 2A: $127,000.00 |
| 3. | Multi-Phase Electrical Services, Inc.<br>Matthew Deli<br>15 William Street<br>Closter, NJ 07624<br>201-207-7870 – Tel<br>201- 297-7866 - Fax<br>mdell@mpesinc.com | Base Bid: $92,050.00<br>Alternate Bid 1: $118,700.00<br>Alternate Bid 2: $166,800.00<br>Alternate Bid 2A: $159,050.00 |
| 4. | A C I Electrical Contractor Inc.<br>Anthony Infantolino<br>548 Oldwoods Road<br>Wyckoff, NJ 07481<br>201-522-6026 – Tel<br>Does not have a fax number<br>Anthony@ACIelectrical.com | NO BID |
| 5. | Advanced Control Systems<br>John Baldassarre<br>12 Champions Way<br>Manalapan, NJ 07726<br>732-234-3232 – Tel<br>Has no fax number<br>johnb@ACScompany.net | Base Bid: $51,153.25<br>Alternate Bid 1: $51,153.25<br>Alternate Bid 2: $119,306.50<br>Alternate Bid 2A: $102,306.50 |

6. Dodge Data & Analytics — NO BID
   Kate Vozza
   4300 Beltway Pl, Ste. 150
   Arlington, TX 76018
   609-336-2636 - Tel
   609-336-5911 – Fax
   dodge.docs@construction.com

7. Manor II Electric, INC
   Alex Haile
   3 Ardsley Court
   Holmdel, N.J. 07733
   973-465-5040 – Tel
   973-465-5570 – Fax
   manorII@optimum.net

   Base Bid: $80,000.00
   Alternate Bid 1: $84,000.00
   Alternate Bid 2: $132,000.00
   Alternate Bid 2A: $122,000.00

8. Vanore Electric Inc. — NO BID
   John or Brian
   238 High Street
   Hackensack, NJ 07601
   973-897-1172 – Tel
   201-342-1452 – Fax
   Brian@vanore-electric.com

9. Matt Jackowitz — NO BID
   500 West Main Street, suite #4
   Wyckoff, NJ 07481
   201-485-7353 – Tel
   775-576-9657 – Fax
   Matt.Jackowitz@EastAlliance.com

10. CFM Construction, INC — NO BID
    Carmine Coscia
    5 Bay Street
    Stirling, NJ 07980
    908-903-9477 – Tel
    908-903-9478 – Fax
    carminecoscia@cfmconstruction.com

11. D & M Electrical LLC
    Zoranco Bozinov
    3 Borrego Drive
    Woodland Park, N.J. 07424
    862-262-8487 – Tel
    973-435-7498 – Fax

    Base Bid: $40,000.00
    Alternate Bid 1: $33,000.00
    Alternate Bid 2: $92,630.00
    Alternate Bid 2A: $82,000.00

admin@dmelectricalllc.com

12. Power With Prestige Inc.
    Joseph P. Carroll II
    40 Swartswood Road
    Newton, NJ 07860
    973 978-4018 - Tel
    973-940-1994 – Fax
    joe@pwpinc.biz

| | |
|---|---|
| Base Bid: | $62,000.00 |
| Alternate Bid 1: | $70,000.00 |
| Alternate Bid 2: | $117,000.00 |
| Alternate Bid 2A: | $107,000.00 |

**136-20**
**June 23, 2020**

**RESOLUTION**

**WHEREAS,** on October 13, 2010, a mortgage was filed by the Township under the West Orange Housing Rehabilitation Program, recorded on February 15, 2011, against Gary Van Wyk and Lisa Brittan (the "Owners") who own 71 Burnett Terrace in the Township of West Orange known as Block 45 Lot 24 (the "Property"); and

**WHEREAS**, the mortgage was in the amount of $ 22,000 payable whenever this property was sold or the title transferred; and

**WHEREAS**, the Owner has indicated that they have repaid the entire amount of the mortgage on or about June 18, 2020; and

**WHEREAS,** the Department of Planning and Development has reviewed their files and found that the mortgage filed against the Property in the amount of $22,000 has been paid in full;

**NOW, BE IT RESOLVED THAT** the Mayor be and is hereby authorized to execute a Discharge of Mortgage, attached hereto as Exhibit "A", with regard to the Property and Owner; and be it further

**RESOLVED THAT** the Municipal Clerk be and is hereby authorized to attest to the Mayor's signature on the Discharge of Mortgage concerning the Property; and be it further

**RESOLVED THAT** a copy of the Resolution shall be made available in the Clerk's office in accordance with applicable law.

| | |
|---|---|
| **Karen Carnevale, R.M.C.**<br>**Municipal Clerk** | **Michele Casalino**<br>**Council President** |

**Adopted: June 23, 2020**

# EXHIBIT "A"

# DISCHARGE OF MORTGAGE

A certain Mortgage dated October 13, 2010 was made by Gary Van Wyk and Lisa Brittan, 71 Burnett Terrace, West Orange, New Jersey, to the Township of West Orange.

This Mortgage was made to secure payment of $22,000. It was recorded or registered in the office of the county recording officer of Essex County, State of New Jersey, on February 15, 2011, in Mortgage Book 12298 and Page 2438.

1. This Mortgage has been PAID IN FULL or otherwise SATISFIED and DISCHARGED. It may now be discharged of record. This means that this Mortgage is now canceled and void.

2. I sign and Certify to this Discharge of Mortgage on

Witnessed or Attested by:

_____
Mayor Robert D. Parisi

_____

STATE OF NEW JERSEY, COUNTY
OF ESSEX CERTIFY THAT ON SS

Personally came before me and stated to my satisfaction that this person (or if more than one, each person):
(a) Was title maker of the attached instrument;
(b) Executed this instrument as his or her own act

_____

STATE OF NEW JERSEY, COUNTY
OF ESSEX CERTIFY THAT ON SS

Personally came before me and stated to my satisfaction that this person (or if more than one, each person):
(a) was maker of the attached instrument
(b) was authorized to and did execute this instrument as of the entity name in this instrument, and;
(c) execute this instrument as the act of the entity named in this instrument.

| Record and Return to: |
| --- |
| |

_____

# SECTION 2 - UPON ADOPTION FOR YEAR 2020

**RESOLUTION**

Be it Resolved by the **COUNCIL MEMBERS** of the **TOWNSHIP** of **WEST ORANGE**, County of **ESSEX** that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) $ 59,106,714.67 (Item 2 below) for municipal purposes, and
(b) $ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
(c) $ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
(d) $ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
(e) $ 2,231,281.49 (Item 5 Below) Minimum Library Tax

**RECORDED VOTE**
(Insert last name)

**Ayes**

**Nays**

**Abstained**

**Absent**

## SUMMARY OF REVENUES

| | | | | |
|---|---|---|---|---|
| 1. General Revenues | | | | |
| Surplus Anticipated | | | 08-100 | $ 2,354,657.37 |
| Miscellaneous Revenues Anticipated | | | 13-099 | $ 21,830,310.02 |
| Receipts from Delinquent Taxes | | | 15-499 | $ 2,646,653.89 |
| 2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSED (Item 6(a), Sheet 11) | | | 07-190 | $ 59,106,714.67 |
| 3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: | | | | |
| Item 6, Sheet 42 | 07-195 | $ - | | |
| Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14) | 07-191 | $ - | | |
| TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY | | | | $ - |
| 4. To Be Added TO THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY: | | | | |
| Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14) | | | 07-191 | |
| 5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX | | | 07-192 | $ 2,231,281.49 |
| **Total Revenues** | | | 13-299 | $ 88,169,617.44 |

# SUMMARY OF APPROPRIATIONS

| | | |
|---|---|---|
| **5. GENERAL APPROPRIATIONS:** | xxxxxx | xxxxxxxxxxxxx |
| **Within "CAPS"** | xxxxxx | xxxxxxxxxxxxx |
| (a & b) Operations Including Contingent | 34-201 | $ 61,880,599.25 |
| (e) Deferred Charges and Statutory Expenditures - Municipal | 34-209 | $ 7,728,983.00 |
| (g) Cash Deficit | 46-885 | $ - |
| **Excluded from "CAPS"** | xxxxxx | xxxxxxxxxxxxx |
| (a) Operations - Total Operations Excluded from "CAPS" | 34-305 | $ 6,404,887.99 |
| (c Capital Improvements | 44-999 | $ 1,125,000.00 |
| (d) Municipal Debt Service | 45-999 | $ 7,436,579.29 |
| (e) Deferred Charges - Municipal | 46-999 | $ 720,000.00 |
| (f) Judgments | 37-480 | $ - |
| (n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3) | 29-405 | $ - |
| (g) Cash Deficit | 46-885 | $ - |
| (k) For Local District School Purposes | 29-410 | $ - |
| (m) Reserve for Uncollected Taxes | 50-899 | $ 2,873,567.91 |
| **6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)** | 07-195 | |
| **Total Appropriations** | 34-499 | $ 88,169,617.44 |

**It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the _____ day of _____, 2020. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2020 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.**

**Certified by me this _____ day of _____, 2020, _____, Clerk**

*Signature*

**138-20**
**June 23, 2020**

**R E S O L U T I O N**

**WHEREAS,** the Township of West Orange advertised for bids pursuant to the New Jersey Local Public Contracts Law (N.J.S.A. 40A: 11-1) for the project St. Mark's Walkway Improvement; and

**WHEREAS,** at the date, time and place advertised for the opening of said bids, the Township received four bids; and

**WHEREAS,** the Township Engineer reported that the apparent low bidder, S. Batata Construction of Parlin, NJ 08859 who submitted a bid of $74,310.00 is not registered with the System for Award Management (SAM) a Federal Registration Program as required by the Bid Documents; and

**WHEREAS,** the Township Engineer states that the failure of S. Batata Construction to be registered with SAM makes their bid non-compliant and non-responsive; and

**WHEREAS,** the firm of Cifelli and Son of Nutley, NJ 07110 who submitted a bid of $101,037.00 and who is registered with SAM and completed all other requirements of the bid documents is therefore the lowest responsive bidder; and

**WHEREAS,** the project is partially funded by a Community Development Block Grant of $64,600.00 administered by the Essex County Division of Housing and Community Development; and

**WHEREAS,** the bid of Cifelli and Sons is over $36,000.00 higher than the grant amount; and

**WHEREAS,** the Township Engineer recommends in addition to finding the bid of S. Batata Construction non-responsive that all the other bids due to the disparity between the grant amount and the bid amount be rejected and the project rebid; and

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

**NOW THEREFORE BE IT RESOLVED** that the bid of S. Batata Construction of Parlin, NJ be rejected as non-responsive.

**BE IT FURTHER RESOLVED** that all other bids be rejected due to the disparity between the bids and the grant funding.

**BE IT FURTHER RESOLVED** that Certified Check and Bid Bonds of all bidders be returned.

**BE IT FURTHER RESOLVED** that the Township Engineer is authorized to rebid the project St. Mark's Walkway Improvement and the Township Engineer and Purchasing Agent are authorized to issue a Purchase Order to the design firm of Keller and Kirkpatrick of Morris Plains, NJ in the amount of $400.00 for revisions and printing costs.

| | |
|---|---|
| **Karen J. Carnevale, R.M.C.**<br>**Municipal Clerk** | **Michelle Casalino, Council President** |

**Adopted : June 23, 2020**

**Certification of Funds:** **Acct No. 03 2227 22 2100 103-$400.00**

**John O. Gross, Chief Financial Officer**

**138-20**

**BID DATE: JUNE 16, 2020**
**ST. MARKS WALKWAY IMPROVEMENT PROJECT**

1. S. Batata Construction — $74,310.00
   Sergio Marques, President
   238 Ernston Road, Suite 1R
   Parlin, NJ 08859
   732-238-8884 - Tel
   732-238-9022 – Fax
   www.sbatataconstruction

2. Cifelli & Son — $101,037.00
   Eddie Gulyas
   81 Franklin Ave.
   Nutley, NJ
   973-235-0302 – Tel
   973235-0456 – Fax
   Eddie.cifelli@gmail.com

3. Seacoast Construction Inc. — $131,860.99
   Isabel Pedreiro
   15 Addington Ct.
   East Brunswick, NJ 08816
   (732) 238-6963 - Tel
   (732) 238-6083 – Fax
   isabel@seacoastInc.com

4. Diamond Construction — $213,349.00
   Bill Moir
   35 Beaverson Blvd., Suite 12C
   Brick, New Jersey 08723
   732-262-7449 – Tel
   732-262-7795 – Fax
   bmoir@diamond-const.com

**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**

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

_____

Karen J. Carnevale, Clerk

ADOPTED ON SECOND READING

DATED: June 23, 2020

_____

Karen J. Carnevale, Clerk

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

_____

ROBERT D. PARISI, MAYOR

**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 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.** **Mayor Robert D. Parisi**

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**Michelle Casalino, Council President**

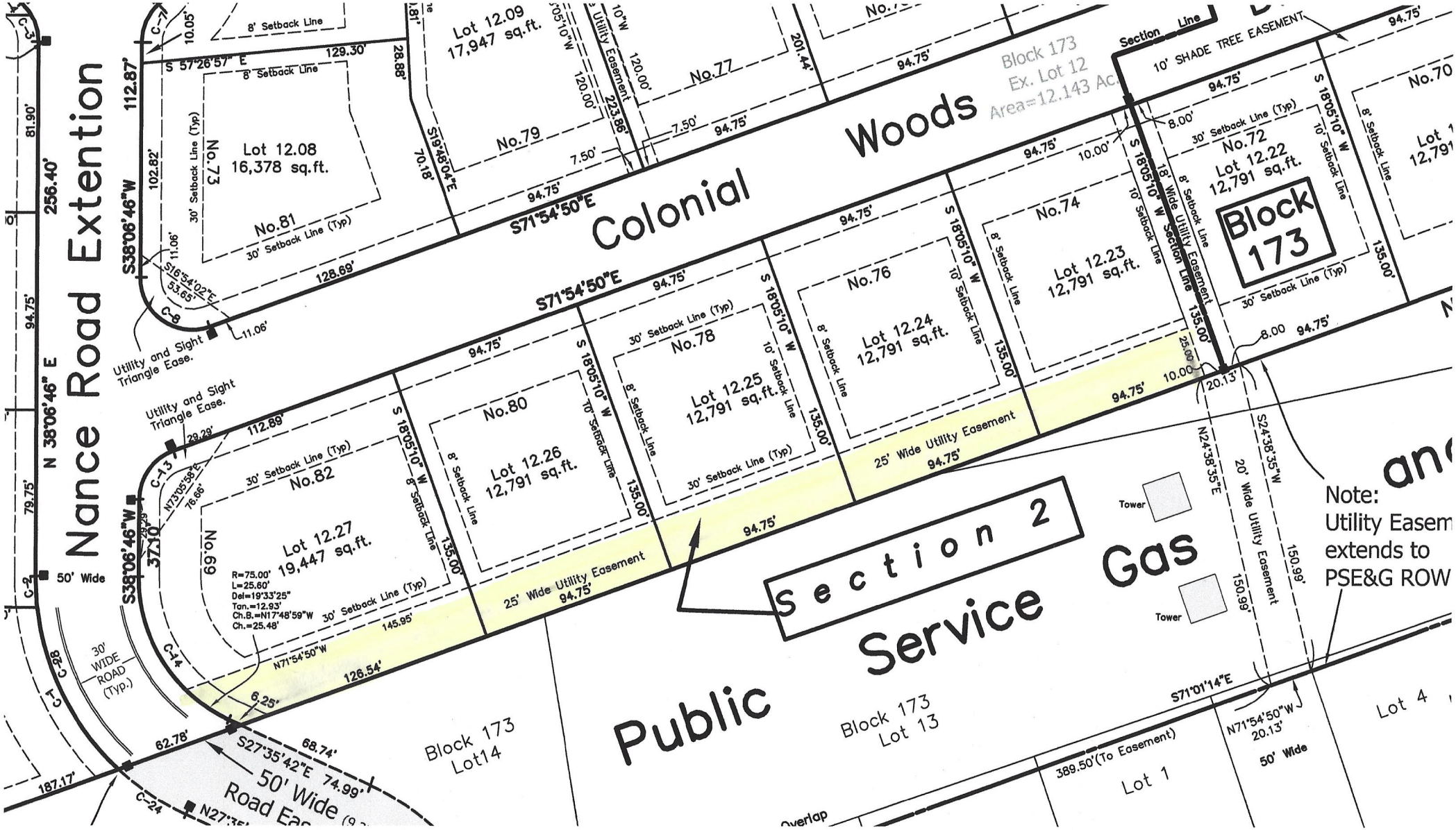
**Introduced : June 9, 2020**

**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 Extention
Colonial Woods
Block 173
Ex. Lot 12
Area=12.143 Ac
Section Line
10' SHADE TREE EASEMENT
Lot 12.08
16,378 sq.ft.
No.81
No.73
Lot 12.09
17,947 sq.ft.
No.79
No.77
No.72
Lot 12.22
12,791 sq.ft.
Block 173
No.74
Lot 12.23
12,791 sq.ft.
No.76
Lot 12.24
12,791 sq.ft.
No.78
Lot 12.25
12,791 sq.ft.
No.80
Lot 12.26
12,791 sq.ft.
No.82
Lot 12.27
19,447 sq.ft.
No.69
Utility and Sight Triangle Ease.
25' Wide Utility Easement
18' Wide Utility Easement
20' Wide Utility Easement
30' Setback Line (Typ)
8' Setback Line
10' Setback Line
Section 2
Public Service Gas
Tower
Block 173
Lot14
Block 173
Lot 13
Lot 1
Lot 4
50' Wide Road Easement
30' WIDE ROAD (Typ.)
Note:
Utility Easem
extends to
PSE&G ROW

**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.

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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.

**2606-20**

**AN ORDINANCE AMENDING CHAPTER 4 TO INCLUDE SECTION 38 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE (Prohibition of Less Lethal Devices and Requirement of Body Worn Cameras and Dash Cams)**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY** that Chapter 4 of the Revised General Ordinances of the Township of West Orange be and are hereby supplemented to include Subsection 38 entitled Prohibition of Less Lethal Devices and Requirement of Body Worn Cameras and Dash Cams as follows:

## I. PURPOSE

The purpose of this Ordinance is to ban the use of tear gas, rubber bullets, concussion grenades and flexible batons (commonly referred to as "bean bag rounds"). Over the past several decades, numerous devices, including the aforementioned items, have become available which are specifically designed to cause discomfort and/or pain to the individual(s) upon whom they are used, while being less lethal than traditional firearms. While all of these devices are generally regarded as less dangerous to their targets than firearms, all entail significant risks if used improperly and/or under certain conditions. While fatalities caused by less lethal weapon usage are relatively infrequent, causes of death in the instances in which it has happened are varied: misplaced or ricocheting shots, pre-existing medical conditions, inadequate user training, repetitive applications, and intentional misuse have all been implicated in different cases where death has occurred. Thus, because significant variations exist in individuals against whom these devices may be deployed in terms of preexisting health conditions and physiological conditions, and because these variations may not be identifiable by merely looking at a particular individual, the risks occasioned by the use of certain less than lethal weapon technologies outweigh their benefits. This Ordinance specifically excludes the discharge of oleoresin capsicum commonly referred to as "OC spray" or "pepper spray." Each patrol officer within the Township of West Orange ("Township") is permitted to carry pepper spray and is ethically trained in its use and sustained misuse. Any sustained misuse of pepper spray is an excessive use of force.

Further, this Ordinance shall require the Township's Police Department to utilize body worn camera technology and dashboard cameras consistent with the New Jersey Attorney General guidelines. Body Worn Cameras ("BWC") and dashboard cameras ("Dash Cam") have great value in providing protection to police officers, the Township and the public at large. BWC and/or Dash Cams record information related to personal contacts, arrests and other patrol related activities. Additionally, BWC and Dash Cams provide valuable instructional material to be utilized for training in the Township.

## II. DEFINITIONS

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meaning stated herein unless their use in the text of this section clearly demonstrates different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number shall include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

A. “Body Worn Camera” shall mean a video and audio recording device that is carried by, or worn on the body of, a law enforcement officer and that is capable of audio and video recording capabilities.

B. “Dash Cam” shall mean a video and/or audio recording device that is mounted on a law enforcement vehicle and that is capable of audio and/or video recording capabilities.

C. "Chemical Device" shall mean any type of device designed as Less Lethal, to be launched or thrown as a projectile, in order to cause injury or trauma to the intended target through the action of chemicals as an eye, throat, respiratory, and/or skin irritant, as a means of crowd control. For the purpose of this Chapter, the term shall include any item commonly referred to as or having similar effects to "tear gas." This definition shall specifically exclude oleoresin capsicum commonly referred to as “OC spray” or “pepper spray.”

D. "Explosive Device" shall mean any type of device designed as Less Lethal, to be launched or thrown as a projectile, in order to disorient the intended target through noise, light, or concussive shock for the purpose of crowd control. For the purpose of this Chapter, the term shall include, but not be limited to, "concussion grenades," "stun grenades," "flashbang grenades," and "sting grenades."

E. "Kinetic Device" shall mean any type of device designed as Less Lethal, to be launched from any device as a projectile, in order to cause injury or trauma to the intended target as a means of crowd control or dispersal. For the purpose of this Chapter, the term shall include, but not be limited to, items commonly referred to as rubber bullets, rubber buckshot, soft polymer rounds, wax bullets, plastic bullets, beanbag rounds, sponge grenades, and kinetic ring airfoil projectiles.

F. "Less Lethal" shall mean designed to reduce the risk of causing fatal injury to the individual(s) upon whom they are used, when compared to the use of firearms or other deadly force.

## III. PROHIBITION ON LESS LETHAL DEVICES

No person shall intentionally aim, deploy, or otherwise use against any other individual a Chemical Device, Explosive Device, or Kinetic Device, as defined above.

## IV. REQUIREMENT OF BODY WORN CAMERAS AND DASH CAMS

The Township shall provide the Township's Police Department with fully operable BWC and Dash Cams at all times. The Township's Police Department shall maintain a written directive outlining the use of BWC and Dash Cams consistent with New Jersey Attorney General guidelines and any guidelines promulgated by the Essex County Prosecutor.

## V. VIOLATIONS AND PENALTIES

The terms of this Chapter shall be implemented by the Appropriate Authority as defined in West Orange Municipal Ordinance 2-14.4 and consistent with New Jersey State Law.

## VI. SEVERABILITY

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase. If any portion of this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, void, or ineffective for any clause or reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

## VII. REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances contrary to or inconsistent with the provisions of this chapter are hereby repealed to the extent of such conflict or inconsistency.

## VIII. EFFECTIVE DATE

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

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

**Robert D. Parisi, Mayor**

**Michelle Casalino, Council President**

**Introduced: June 23, 2020**

**Adopted: July 14, 2020**

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

4822-0692-3455, v. 2

## Legislative History

The purpose of this Ordinance is to memorialize the Township of West Orange's already existing policies and procedures regarding Less Lethal Devices, Body Worn Cameras and Dash Cams. Currently, the Township does not utilize any and all Less Lethal Devices due to the risks associated therewith. Additionally, the Township's Police Department currently has a policy regarding Body Worn Cameras and Dash Cams. This Ordinance is being adopted to codify these already existing policies and memorialize them as applicable laws within the Township.

**2607-20**

**AN ORDINANCE REPEALING CHAPTER 4, SECTION 12.2(b) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE**

**BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY** that Chapter 4 of the Revised General Ordinances of the Township of West Orange be and are hereby repealed as follows:

## I. PURPOSE

The purpose of this Ordinance is to repeal Chapter 4, Section 12.2(b) of the Township of West Orange (the "Township") Ordinances on the grounds that it is unconstitutionally vague and is of no use to the Township.

## II. CHAPTER 4, SECTION 12.2(b) SHALL BE AND HEREBY IS REPEALED AS FOLLOWS

**4-12.2(b) Certain Types of Loitering Prohibited**

**No person shall loiter in a public place in such manner as to:**

b. Create or cause to be created any disturbance or annoyance to the comfort and repose of any person, provided that the disturbance or annoyance would be a disturbance or annoyance to the comfort and repose of a reasonable person.

## III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

## IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

## V. EFFECTIVE DATE

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

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

**Robert D. Parisi, Mayor**

**Michelle Casalino, Council President**

**Introduced: June 23, 2020**

**Adopted: July 14, 2020**

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

## Legislative History

The purpose of this Ordinance is to repeal subsection (b) of Chapter 4, Section 12.2 on the grounds that it is unconstitutionally vague and of no use to the Township of West Orange.

**2608-2020**

# CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

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

**WHEREAS**, the Township Council of the Township of West Orange in the County of Essex finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township of West Orange hereby determines that a 3.5% increase in the budget for said year, amounting to $672,003.92 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Orange, in the County of Essex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of West Orange shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to $ 2,352,013.72 and that the CY 2020 municipal budget for the Township of West Orange be approved and adopted in accordance with this ordinance; and,

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

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

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

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

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

**Michelle Casalino, Council**

**Introduced: June 23, 2020**

**Robert D. Parisi, Mayor**

**Adopted: July 14, 2020**

**640-20**
**June 23, 2020**

# RESOLUTION

**WHEREAS**, unless otherwise noted herein, the holders of alcoholic beverage licenses from the Township of West Orange set forth on Exhibit A attached hereto and made part hereof, have made applications to this Township of West Orange ABC Board to renew said licenses for the **2020-2021** license term; and

**WHEREAS**, said licenses have paid all license renewal fees and submitted the appropriate application to renew; and

**WHEREAS**, the license was granted 12.39 relief pursuant to N.J.S.A. 33:1-12.39; and

**WHEREAS**, a public hearing was held before the Township of West Orange ABC Board on **June 23, 2020** and no one appeared in opposition to any license renewal; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township of West Orange ABC Board wishes to renew the following alcoholic beverage licenses set forth for the **2020-2021** license term:

**0722-44-027-005 AMI West Orange, LLC (Pocket)**

**0722-44-036-011 Jai Ambe Wine & Liquor, LLC**

**0722-44-046-009 E.G. Holding Corp., Inc.**

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|---|---|
| **KAREN J. CARNEVALE, RMC**<br>**ABC Board Secretary** | **MICHELLE CASALINO**<br>**Council President/ABC Board member** |

**Adopted: June 23, 2020**