

Public Meeting - September 11, 2012

The Township Council of the Township of West Orange met in the Council Chambers, 66 Main Street, West Orange, New Jersey at 7:00 P.M. Karen J. Carnevale, Municipal Clerk, read the following statement:

This is to inform the general public that this meeting is being held in compliance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law, 1975. A notice of this meeting was mailed to the Star Ledger and the West Orange Chronicle on December 17, 2011.

Roll Call:

Present: Councilman Guarino, Councilman Krakoviak, Councilwoman McCartney, Councilwoman Spango, and Council President Cirilo

Absent: None

The Township Council identified and presented for unanimous consent, Item 5 (Minutes), Item 8 (Bills) and Item 9 (Certain Resolutions).

On motion made by Councilman Krakoviak and seconded by Councilman Guarino, the Consent Agenda was implemented.

All members voting "Aye".

Public Comment

The Council President stated that this is the scheduled time for the public hearing and asked if there was anyone who wished to be heard.

Annette Clark, Liberty Street, West Orange

Colby Drury, 31 Liberty Street, West Orange

Paula Dickson-Taylor, Watchung Avenue, West Orange

Windale Simpson, Hillside Avenue, West Orange

Rosary Morelli, 22 Ralph Road, West Orange

Gerry Gurland, member of the Historic Preservation Commission

John Schmidt, 27 Glen, Llewellyn Park, West Orange

Mike Taylor, Watchung Avenue, West Orange

Mark Meyerowitz, 19 Howell Drive, West Orange

Christine Bosco, Masson Place, West Orange

Anthony Pugliese, Public Information Officer, Essex County

There was no one else who wished to be heard and the public hearing was closed.

Minutes

The Minutes of July 1, 2012 were approved as submitted.

Bills

The Bill List was received and ordered paid. A summary of the Bill List is attached.

Resolutions

The following resolutions were adopted:

Resolution #167-12

Resolution Authorizing Raffle Licenses

Resolution #171-12

Resolution Awarding Contracts for the Provision of Recreation, Social and Educational Services to the Senior Citizens of the Township of West Orange in the Amount of \$2,000.00

Resolution #172-12

Resolution Authorizing the Retention of Paul Grygiel, Phillips, Preiss, Grygiel, LLC, Hoboken, NJ, an Expert Professional Planner to Analyze the Planning Aspects of the West Essex Highlands, Inc. Litigation and to Prepare an Expert Report on Behalf of the Defendants, and to Provide Expert Testimony if Necessary at a Cost NTE \$10,000.00

Resolution #173-12

Resolution Authorizing Extending the Time Period to Close on the Sale of Township Owned Land - Block 176.08, Lot 14 - Marmon Terrace, Block

Ordinance on Second and Final Reading

Ordinance #2359-12

On motion made by Councilwoman McCartney and seconded by Councilman Guarino, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV, SECTION 25-30, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED HISTORIC PRESERVATION COMMISSION, was taken up on second and final reading.

All members voting "Aye".

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

Gerry Gurland, member of the Historic Preservation Commission, commented on the above ordinance.

There was no one else who wished to be heard and the public hearing was closed.

Following discussion and on motion made by Councilman Krakoviak and seconded by Councilwoman McCartney, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

All members voting "Aye".

Ordinance #2360-12

On motion made by Councilman Krakoviak and seconded by Councilman Guarino, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-26.1, BUS STOPS - NORTHFIELD AVENUE EASTBOUND/GREGORY AVENUE, was taken up on second and final reading.

All members voting "Aye".

The Council President stated that this is the scheduled time for the public hearing and asked the Clerk to read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

On motion made by Councilman Krakoviak and seconded by Councilwoman McCartney, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

All members voting "Aye".

Ordinance on First Reading

Ordinance #2361-12

On motion made by Councilman Krakoviak and seconded by Councilwoman McCartney, AN ORDINANCE CREATING NEW TOWNSHIP CODE SECTION 14, SECTION 8.2A AND REVISING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE TO ALLOW FOR SNOW, ICE AND GRASS REMOVAL ON PRIVATELY OWNED PROPERTIES BY TOWNSHIP EMPLOYEES OR AGENTS, was taken up on first reading by title only.

All members voting "Aye".

The Clerk read the ordinance by title only.

On motion made by Councilman Krakoviak and seconded by Councilwoman McCartney, the

above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on October 2, 2012.

All members voting “Aye”.

Resolution #168-12

Resolution Authorizing Extending the Time Period to Close on the Sale of Township Owned Land - Bachman Terrace, Block 152.19, Lot 1154 for an Additional 60 Days from the Date of Adoption of this Resolution

Aziz O. Nekoukar, Esq. gave a brief over view of the above mentioned resolution and responded to questions from Council.

Following discussion and on motion made by Councilman Krakoviak and seconded by Councilman Guarino , the above mentioned resolution was adopted.

Councilman Guarino, Councilwoman McCartney, Councilwoman Spango, and Council President Cirilo voting “Aye”. Councilman Krakoviak voting “Nay”.

Resolution #169-12

Resolution Authorizing an Agreement with the Steven Schwartz Law Firm, LLC for Non Commercial Real Estate Tax Appeal Services on a Flat Fee Basis of \$2,750.00 per Month for One Year Totalling \$33,000.00

Following discussion and on motion made by Councilwoman McCartney and seconded by Councilwoman Spango, the above mentioned resolution was adopted.

All members voting “Aye”.

Resolution #170-12

Resolution Authorizing an Agreement with Blau & Blau for Commercial Real Estate Tax Appeal Services on a Flat Fee Basis of \$5,000.00 per Month for One Year Totalling \$60,000.00

Richard Trenk, Esq., Township Attorney gave a brief overview of the above mentioned resolution and responded to questions from Council.

Following discussion and on motion made by Councilwoman McCartney and seconded by Councilman Guarino, the above mentioned resolution was adopted.

All members voting “Aye”.

Resolution #174-12

Resolution Authorizing Change Order No. 4 and Change Order No. 5 Authorizing an Increase to

the Contract Amount with Conquest Industries, LLC, 32 Woodland Avenue, Westwood, NJ to \$1,848,981.93 for the Downtown West Orange Streetscape and Traffic Improvement Program

Deputy Director Leonard Lepore gave a brief over of the above mentioned resolution and responded to questions from Council.

Following discussion and on motion made by Councilman Krakoviak and seconded by Councilwoman McCartney, the above mentioned resolution was adopted.

All members voting “Aye”.

Resolution #175-12

Resolution Authorizing Change Order No. 3 with Conquest Industries LLC, 32 Woodland Avenue, Westwood, NJ Authorizing an Adjusted Completion date of October 31, 2012 for the Downtown West Orange Streetscape and Traffic Improvement Program

Following discussion and on motion made by Councilman Krakoviak and seconded by Councilwoman Spango, the above mentioned resolution was adopted.

All members voting “Aye”.

Resolution #176-12

Resolution Authorizing a Stipulation of Settlement between Conquest and the Township Regarding the Downtown West Orange Streetscape and Traffic Improvement Program

Following discussion and on motion made by Councilwoman McCartney and seconded by Councilman Guarino, the above mentioned resolution was adopted.

All members voting “Aye”.

Resolution #177-12

Resolution Authorizing a License Agreement Between the Township of West Orange and the New Jersey Arts Incubator (NJAI) for the Use of the Oskar Schindler Performing Arts Center (OSPAC) for a Term of Five (5) Years

Following discussion and on motion made by Councilman Krakoviak and seconded by Councilman Guarino, the above mentioned resolution was tabled until the October 2, 2012 Council Meeting.

All members voting “Aye” to table.

ABC Hearing

Resolution #491-12 Person to Person Transfer from Murphigan’s t/a Halligan’s to the Pour

House LLC, 178 Main Street, West Orange

The appropriate fees have been paid and the affidavit of publication is on file.

Peter Rosen, Esq., attorney for the buyer, was present.

Following discussion and on motion made by Councilwoman McCartney and seconded by Councilman Guarino, the above mentioned resolution was adopted.

All members voting "Aye".

The Minutes of this meeting are on file in the Office of the Municipal Clerk.

On motion made by Councilwoman McCartney and seconded by Councilman Guarino, the meeting was adjourned at 10:14 p.m.

All members voting "Aye".

Karen J. Carnevale, Municipal Clerk

Victor Cirilo, Council President

Adopted: October 2, 2012