

## **Public Meeting – December 9, 2014**

The Township Council of the Township of West Orange met in the Council Chambers, Municipal Building, 66 Main Street, West Orange, New Jersey at 7:08 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 November 22, 2013.

Roll Call:

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

Absent: None

The Township identified and presented for unanimous consent, Item 5 (Minutes), Item 7 Reading of Petitions and Communications and Bids, Item 8 (Bills) and Item 9 (Certain Resolutions)

On motion made by Councilman Cirilo and seconded by Councilwoman Spango, the Consent Agenda was implemented.

All members voting "Aye".

### **Public Comment**

The Council President asked if there was anyone who wished to make a statement at this time.

Mariel Clemenson, 4 Cherrywood Circle, West Orange

Anthony Puglisi, Public Information Officer, Essex County

Susan Lenchik, 234 Eagle Rock Avenue, West Orange

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

### **Minutes**

The Public Meeting Minutes of November 25, 2014 were approved as submitted.

### **Reading of Petitions and Communications and Bids**

Correspondence from Mayor Parisi appointing Municipal Court Judge Margaret Padovano as Chief Judge effective January 1, 2015 and ending with Robert Parisi's term as Mayor.

Correspondence from Mayor Parisi for advice and consent of the Township Council for the appointment of Dennis O. Dowd, Esquire as Municipal Court Judge for a three (3) year term effective January 1, 2015 and continuing through December 31, 2017.

### **Bills**

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

**Resolutions**

The following resolutions were adopted:

**Resolution #212-14**

Resolution Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87-CTTEC Grant in the Sum of \$69,153.08

**Resolution #213-14**

Resolution Authorizing an Extension of the Contract for Emergency and Non-Emergency Tree Services with Kevin Downes Tree Service

**Resolution #214-14**

Resolution Authorizing an Extension of the Contract for Tree Removal Services with Dujet Tree Services, 54 Notch Road, West Paterson, NJ in the Various Amounts Indicated on the Resolution

**Resolution #215-14**

Resolution Authorizing an Extension of the Contract for Tree Removal Services with Kevin Downes Tree Service, Inc., 65 Royal Avenue, Hawthorne, NJ in the Amounts Indicated on the Resolution

**Resolution #217-14**

Resolution Consenting to the Mayor's Appointment of Dennis O. Dowd, Esq. as a Municipal Judge of the Municipal Court of the Township of West Orange Effective January 1, 2015 for a Term Expiring on December 31, 2017

**Resolution #218-14**

Resolution Authorizing Raffle Licenses

**Resolution #219-14**

Resolution Authorizing an Award of a Professional Services Contract to Keller & Kirkpatrick, 301 Gibraltar Drive, Suite 2A, Morris Plains, NJ 07950 to Provide Engineering and Land Surveying Services for the Improvement of the Storm Water Collection and Conveyance System through 23 Maple Avenue, Block 161.02, Lot 38 for an Amount NTE \$7,600.00

**Resolution #221-14**

Resolution Authorizing the Application for Refunding Bond Ordinance to be filed with the Local Finance Board Pursuant to NJSA 40A:2-51

**Resolution #222-14**

Resolution Adopting a Drug and Alcohol Policy for Safety Sensitive Employees in Transit and Transportation

**Resolution #224-14**

Resolution Authorizing an Agreement with Essex County Division of Senior Services for the Partial Funding of a Senior Citizen Public Health Nurse for the Contract Period of January 1, 2015 through December 31, 2015 in the Amount of \$16,127

**Resolution #225-14**

Resolution Authorizing a Quitclaim Deed for 7 Tompkins Street, Block 6, Lot 30.03

**Resolution #226-14**

Resolution Authorizing a Submission of an Application and Agreement on Behalf of the Township to Participate in the Center for Community Planning (CPAP)

**Resolution #227-14**

Resolution Authorizing an Award of Contract for Snow Plowing and Removal Services Years 2014/15, Option 2, Municipal Parking Yards

**Resolution #229-14**

Special Improvement District 2015 Budget (Introduction)

**Resolution #230-14**

Resolution Authorizing Emergency Appropriation Pursuant to N.J.S.A. 40A:4-46 and N.J.S.A. 40A:4-48 Due to Severance Liabilities

**Resolution #231-14**

Resolution Authorizing Sale or Notes for Emergency Appropriation Pursuant to N.J.S.A. 40A:4-51 Due to Severance Liabilities

**Resolution #232-14**

Resolution Authorizing Sale of Notes for Emergency Appropriation Pursuant to N.J.S.A. 40A:4-51 Due to Tax Appeal Refunds

**Resolution #233-14**

Resolution Authorizing Emergency Appropriation Pursuant to N.J.S.A. 40A:4-46 and N.J.S.A. 40A:4-49 Due to Tax Appeals

**Ordinances on Second and Final Reading**

**Ordinance #2432-14**

On motion made by Councilman Guarino and seconded by Councilman Cirilo, AN ORDINANCE CREATING CHAPTER 14, SECTION 20 OF THE REVISED GENERAL ORDINANCES OF WEST ORANGE, ENTITLED "DUTIES AND RESPONSIBILITIES OF FORECLOSING CREDITOR", was taken up on second and final reading.

All members voting "Aye".

The Council President stated that this was 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.

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

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

All members voting "Aye".

**Ordinance #2433-14**

A motion to table the following ordinance was made by Council President McCartney and seconded by Councilman Guarino, REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$2,284,702 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,284,702 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF, was not carried.

All members voting "Aye" to table.

On motion made by Councilman Krakoviak and seconded by Councilman Guarino, the meeting was recessed to be continued on January 6, 2015 at 8:27 P.M.

All members voting "Aye".

**Ordinances on First Reading**

**Ordinance #2434-14**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-32.2, RESTRICTED PARKING ZONES, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE – HANDICAPPED PARKING, 20 VALLEY WAY AND 7 KIRK STREET, was introduced and passed on first reading.

The Clerk read the ordinance by title only.

On motion made by Councilman Cirilo and seconded by Councilman Guarino, the above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on January 6, 2015.

All members present voting "Aye".

**Ordinance #2435-14**

AN ORDINANCE AMENDING CHAPTER 2, SECTION 40 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED "MUNICIPAL COURT ESTABLISHED" was introduced and passed on first reading.

The Clerk read the ordinance by title only.

On motion made by Council President McCartney and seconded by Councilman Krakoviak, the above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on January 6, 2015.

All members present voting "Aye".

**Resolution #211-14**

Resolution Authorizing an Agreement with Swiftreach Networks, Mahwah, NJ to Provide Emergency Communications and Notifications to Residents for a Proposed First Year Contract Price of \$15,495.00 with a Subsequent Price of \$14,995.00 Per Year for Each Additional Year for Up to Five (5) Additional Years Pursuant to NJSA 40A:11-15(8)

Following discussion and on motion made by Council President McCartney and seconded by Councilman Cirilo, the above mentioned resolution was adopted.

All members voting "Aye".

**Resolution #216-14**

2015 Community Development Block Grant (CDBG) Priority List

Following discussion with regard to the priority list and on motion made by Council President McCartney and seconded by Councilman Krakoviak, the above mentioned resolution, as amended, was adopted.

All members voting "Aye".

**Resolution #220-14**

Resolution Authorizing an Agreement for the Retention of Bryn N. Whittle, Esq. as Municipal Prosecutor for the Calendar Year 2015

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

All members voting "Aye".

**Resolution #223-14**

Resolution Authorizing the Purchase of Bleachers for the West Orange High School Baseball Field in the Amount of \$40,474.97 through the Middlesex Regional Educational Services Commission Cooperative Pricing System, Bid No. MRESC 12/13-58

Deputy Director Leonard Lepore commented on the above resolution and responded to questions from Council.

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

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

**Resolution #228-14**

Resolution Approving Change Orders No. 1 and No. 2 for the Valley Police Substation with Shauger Property Services, Inc., 429 Dodd Street, East Orange, NJ in the Combined Amount of \$4,785.55 or a 1.36 Percent Increase in the Original Contract Amount of \$352,000.00

Following discussion and on motion made by Council President McCartney and seconded by Councilman Cirilo, the above mentioned resolution was adopted.

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

**ABC**

**Discussion- El Palacio de Pollo (Angelitos)**

On motion made by Council President McCartney and seconded by Councilman Krakoviak, the Council adjourned as the Township Council and reconvened as the ABC Board.

All members voting "Aye".

A discussion was held to allow the holder of liquor license of El Palacio de Pollo, License No. 0722-33-039-007, to relax their special condition regarding closing time for New Year's Eve. Council agreed to permit this establishment to remain open until 2:00 a.m.

On motion made by Councilman Guarino and seconded by Councilman Krakoviak, the Council adjourned as the ABC Board and returned as the Township Council.

All members voting "Aye".

**On January 6, 2015, the December 9<sup>th</sup> meeting continued and the following resolutions and ordinances were adopted:**

On motion made by Councilman Cirilo and seconded by Councilwoman Spango, the following resolutions were adopted. (Councilman Krakoviak was absent at the January 6, 2015 council meeting).

All members present voting "Aye".

**Resolution #234-14**

Resolution Authorizing the Chief Financial Officer to Cancel 2013 Current Fund Budget Appropriations Fund at Year End

**Resolution #235-14**

Resolution Authorizing Transfers Between Budget Appropriations

**Resolution #236-14**

Resolution Authorizing Commitment by the Township of West Orange for Ongoing Affordable Housing Administrative Expenses Incurred from the Development Fees and Interest Collected by the Township

**Resolution #237-14**

Resolution to Authorize a Commitment of Additional Funds for Rehabilitation

**Resolution #238-14**

Resolution Authorizing Commitment of Additional Funds for Emergency Repair Program Under Affordability Assistance

On motion made by Councilman Guarino and seconded by Councilwoman Spango, the meeting was adjourned at 7:30 P.M.

All members voting "Aye".

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**KAREN J. CARNEVALE, R.M.C.**

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**SUSAN McCARTNEY, COUNCIL PRESIDENT**

**Adopted: January 6, 2015**