

**Public Meeting – July 21, 2015**

The Township Council of the Township of West Orange met in the Council Chambers, Municipal Building, 66 Main Street, West Orange, New Jersey at 7:00 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, Public Law, 1975. A notice of this meeting was mailed to the Star Ledger and the West Orange Chronicle on December 4, 2014.

Roll Call:

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

Absent: Councilman Cirilo

The Township identified and presented for unanimous consent, Item 4 (Minutes), Item 7 (Bills) and Item 8 (Resolutions).

On motion made by Council President Guarino and seconded by Councilwoman McCartney, 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.

Mike Brick-Environmental Commission

Susan Anderson-West Orange Public Information Officer

Anthony Puglisi-Public Information Officer-Essex County-Representing Joe DiVincenzo

Megan Brill-Executive Director, West Orange Downtown Alliance

Rosary Morelli-22 Ralph Road

Ann Mazullo-New Providence, NJ

Mariel Clemenson-Cherrywood Circle

Bill Mazullo-Providence, NJ

Megan Brill-Resident

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

**\*Review of Consent Agenda**

**\*Approval of Minutes of Previous Meeting**

The Public Minutes of June 23, 2015 were approved as submitted.

**\*Bills**

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

**\*Resolution(s) adopted on Consent Agenda:**

- a. 178-15 Corrective Action Plan-2014 Audit (Gross)
- b. 179-15 Resolution Authorizing the Certification of the Annual Audit by the Governing Body (Gross)
- c. 181-15 Resolution Authorizing Agreement with Employee Advisory Service to Provide Services for 2016 (Legal-Duffy)
- d. 182-15 Resolution Authorizing Discharge of Mortgage, 35 Park Drive South, West Orange, NJ, Block 113.01, Lot 221 (Planning)
- e. 183-15 Resolution Authorizing Private Sale of Real Property Pursuant to Ordinance No. 2454-15 (Legal-Duffy)
- f. 184-15 Resolution Authorizing Discharge of Mortgage, 25 Pine Street, West Orange, NJ, Block 36, Lot 14 (Planning)
- g. 186-15 Resolution Authorizing Change Order No. 2 with T & M Associates, 11 Tindall Road, Middletown, New Jersey 07728-2792 for Site Remediation Services at the Old Public Works Garage, 6-8 Lindsley Avenue and Fire House No. 4, 280 Pleasant Valley Way, in a combined amount of \$87,300.00 (Lepore)
- h. 187-15 Resolution To Increase Public Bidding Threshold (DeSantis)
- i. 188-15 Resolution Authorizing the Release of Performance Guarantees both Cash and the Surety, to the Developer of the CVS at the Intersection of Prospect Avenue and Eagle Rock Avenue, Block 153.16, Lot 1, First Hartford Realty Corporation, 149 Colonial Road, P.O. Box 1270, Manchester, CT 06045-1270, Subject to the Posting of a Maintenance Bond in the Amount of Fifteen Percent of the Total Bond, or \$16,580.70, for a Two Year Period all in Accordance with the Municipal Land Use Law. (Lepore)
- j. 189-15 Resolution Authorizing Change Order No. 2 and Final for the project Mayfair District Storm Sewer Improvements with Shauger Property Services, Inc., 429 Dodd Street, East Orange, New Jersey 07017 in the amount of \$3,526.00 (Lepore)
- k. 190-15 Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- l. 191-15 Resolution Authorizing an Abandoned Car Sale on August 4, 2015 at Twin Towing Inc. and Select Towing & Repair (DeSantis)

- m. 192-15 Resolution Authorizing the Purchase of One (1) 2016 Chevrolet Tahoe in the Amount of \$47,618.26 Through the NJ Morris County Cooperative Purchasing Contract (MCCPC) #15-A, Item #10 (DeSantis)
- n. 193-15 Resolution Authorizing Discharge of Mortgage, 62 Oak Crest Road, West Orange, NJ, Block 164.01, Lot 1 (Planning)
- o. 194-15 Resolution Authorizing Participation in the Middlesex Regional Educational Services Commission (NJ State Approved Cooperative Pricing System #65MCESSCCPS) “Small Ticket Lease Program” (Middlesex Regional Educational Services Commission Bid No. 13/14-23) (DeSantis)
- p. 195-15 Resolution Regarding Consideration of Membership in Public Sector Joint Insurance Fund (Legal-Duffy)
- q. 196-15 Resolution to Lease/Purchase Three (3) 2015 Police Vehicles Through Morris County Cooperative Pricing Council (DeSantis)
- r. 197-15 Resolution Authorizing an Appropriation of \$79,776.00 for the Rental of Two Emergency Bypass Pumps for the Northfield Avenue Pump Station No. 7 at Dogwood Road through the Period Ending Late September 2015 (Lepore)
- s. 198-15 Resolution Authorizing an Award of Contract with Dimilia, Inc., P.O. Box 3366-Memorial Station, Upper Montclair, NJ 07043 for the Improvement of Tennis Courts Various Locations in the Amount of \$109,200.00 (Lepore)
- t. 199-15 Resolution Authorizing an Award of Contract with Grabowski Construction, Inc., 770 Northfield Avenue, West Orange, NJ for the Colgate Park Perimeter Pathway Improvements Franklin Avenue at Cherry Street in the Amount of \$138,490.95 (Lepore)
- u. 200-15 Resolution Authorizing an Award of Contract with Rapid Pump & Meter Service Co., Inc., P.O. Box AY, 285 Straight Street, Paterson, NJ 07509 for the Removal of Existing Pumps and Replacing them with Two Dry Pit Submersible Pumps, along with New Electrical Controls and Plumbing in the amount of \$223,890.00
- v. 204-15 Resolution Rejecting Bids, Authorizing Re-bid with a Base Bid and two Alternates, and Authorizing an Appropriation of \$5,000.00 for Crew Engineers to Revise and Prepare the Plans and Bid Documents

**Resolution(s) Removed from Consent Agenda**

- a. 180-15 Resolution Clarifying and Amending Resolution No. 112-15 Regarding Fairview Insurance Agency Associates, Inc. (Legal-Duffy)

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

All members voting “Aye”.

- b. 185-15 Resolution Granting Permission to Montclair Golf Club to Conduct Fireworks Display on August 29, 2015 (Legal-Duffy)

On motion made by Councilwoman McCartney and seconded by Council President Guarino, the above mentioned resolution was adopted.

All members voting “Aye”.

**Ordinance(s) on First Reading**

- a. 2456-15 An Ordinance Amending Chapter 4, Section 34.3 of the Revised General Ordinances of the Township of West Orange, Entitled “Extra Duty Employment for Police Officers” (Legal-Duffy)

On motion made by Councilwoman McCartney and seconded by Council President Guarino, the the above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on August 11, 2015.

All members voting “Aye”.

- b. 2457-15 An Ordinance Amending and Supplementing Chapter 7, Traffic Section 7-11, Parking Time Limited on Certain Streets, During Certain Hours, Section 7-14.1, Night Parking Restricted, and Section 7-14.2, Parking Prohibited During Certain Hours on Certain Streets, of the Revised General Ordinances of the Township of West Orange (Lepore)

On motion made by Council President Guarino and seconded by Councilwoman Spango, the above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on August 11, 2015.

All members voting “Aye”.

- c. 2458-15 An Ordinance of the Township of West Orange, In the County of Essex, New Jersey Authorizing the Amendment, Assignment and Assumption of a Financial Agreement with Respect to Certain Property Commonly Known as the Edison Battery Factory (Legal-McManimon)

Jennifer Credidio, Esquire, of McManimon, Scotland and Bauman and Mike Hanley, of NW Financial appeared before the Council and answered questions with regard to this ordinance.

On motion made by Council President Guarino 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 August 11, 2015.

Councilwoman McCartney, Councilwoman Spango and Council President Guarino voting “Aye”. Councilman Krakoviak abstained from the vote.

At 9:12 p.m., on Motion made by Council President Guarino and seconded by Councilwoman McCartney, the Council adjourned and entered into a hearing as the ABC Board.

All members voting “Aye”.

**ABC Matter(s)**

- a. 537-15 Hearing on Renewal for Plenary Retail Consumption, Distribution and Club Licenses for the 2015-2016 License Term

Following a brief explanation by Ken Kayser, Assistant Township Attorney that the Police Department had recommended renewal of licensees and that licensees had tax clearance, and have paid their State and Township fees, and on motion made by Council President Guarino and seconded by Councilwoman Spango, the above mentioned resolution was adopted.

All members voting “Aye”.

- b. 538-15 Hearing on Renewal for 2014-2015 License Term-**Huguitos 0722-33-024-005** (Special Conditions)
- c. 539-15 Hearing on Renewal for 2014-2015 License Term-**Suzy Que’s, LLC t/a Suzy Que’s 0722-33-009-012** (Special Conditions)
- d. 540-15 Hearing on Renewal for 2014-2015 License Term-**Essex House 0722-33-071-003** (Special Conditions)
- e. 542-15 Hearing on Renewal for 2014-2015 License Term- **Harrison Avenue Tavern 0722-33-058-006** (Special Conditions)
- f. 543-15 Hearing on Renewal for 2014-2015 License Term-**AMC Entertainment International 0722-33-066-009** (Special Conditions)

ABC Resolutions 538-15, 539-15, 540-15, 542-15 and 543-15 were adopted on one motion made by Council President Guarino and seconded by Councilwoman McCartney.

All members voting “Aye”.

- g. 544-15 Failure to Renew Liquor License No. 0722-33-026-004 Zen Restaurant, Inc. t/a Ekko (Inactive)  
**This license ceases to exist for failure to file for license term years 2013-2014 and 2014-2015.**

Ken Kayser, Assistant Township Attorney explained to the ABC Board that the liquor license for this licensee was not renewed for the 2013/14 and 2014/15 license terms and failure to do so results in the loss of the license. On motion made by Council President Guarino and seconded by Councilman Krakoviak, the above mentioned resolution was adopted.

All members voting “Aye”.

- h. Notice of Charge of ABC Violation Against Liquor Licensee #0722-33-059-006 Jenny’s LLC t/a Fusion**

Ken Kayser, Assistant Township Attorney explained to the ABC Board that this licensee failed to file an amendment to the license application with the municipal issuing authority for a change in trade name along with replacing the business sign with a new sign which is in violation of the requirements of NJSA 33:1-25 and NJAC 13:2-2.14. The licensee asked for an extension to rectify the situation and on motion made by Council President Guarino and seconded by Councilman McCartney, the extension was granted to August 11, 2015.

All members voting “Aye”.

At 9:33 p.m., on Motion made by Council President Guarino and seconded by Councilwoman McCartney, the Council adjourned as the ABC Board and returned as Council.

All members voting “Aye”.

On Motion made by Council President Guarino and seconded by Councilwoman McCartney the meeting was adjourned at 9:33 p.m.

All members voting “Aye”.

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

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

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**JERRY GUARINO, COUNCIL**

**Adopted: August 11, 2015**