

Public Meeting – September 8, 2015

The Township Council of the Township of West Orange met in the Council Chambers, Municipal Building, and 66 Main Street, West Orange, New Jersey at 7:10 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 Cirilo, Councilman Krakoviak, Councilwoman McCartney and Council President Guarino

Absent: None

Council President invited former Councilwoman Patty Spango to make a statement about her resignation from the Township Council.

Public Comment

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

Susan Anderson-Public Information Officer-Township of West Orange

Mark Meyerowitz-19 Howell Drive

Susan Lenczyk-234 Eagle Rock Avenue

Rosary Morelli-Ralph Road

Akil Khalfani-39 Birch Street

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

Willis Drummond-1 Westwood Drive

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 August 11, 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. 222-15 Resolution Authorizing the Tax Collector to Complete an Application to Participate in the 2015 Electronic Tax Sale Program and Submit Same to the Director of the Division of Local Government Services (Gagliardo)
- b. 223-15 Resolution Authorizing Cost of Mailing for Electronic Tax Sale (Gagliardo)
- c. 224-15 Resolution Authorizing an Agreement with ROK Industries, Inc. d/b/a NJTaxlieninvestor.com, for Internet Based Electronic Processing of Bid Information Related to the Auction Sale of Municipality's Tax Lien Certificates (Legal-Duffy)
- d. 225-15 Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to a Overbill of Taxes on the Property (Gagliardo)
- e. 226-15 Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer(s) Due to a Homestead Rebate Credit (Gagliardo)
- f. 227-15 Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey (Gagliardo)
- g. 228-15 Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to an Overpayment of Taxes Due to a County Board Judgment (Gagliardo)
- h. 229-15 Resolution Authorizing Execution of Ninth Amendment to Agreement with NJMS Global Tuberculosis Institute at Rutgers (Legal-Duffy)
- i. 231-15 Resolution to Amend Resolution 61-15 to Authorize Submission of Municipal Alliance Strategic Plan for Fiscal Year 2016 (Legal-Duffy)
- j. 232-15 Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer(s) Due to an Overpayment of 2015 Taxes (Gagliardo)
- k. 233-15 Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- l. 236-15 Resolution Authorizing Emergency Appropriation Pursuant to N.J.S.A. 40A:4-46 and N.J.S.A. 40A:4048 Due to Renovations to Public Library (Draikewicz)
- m. 237-15 Resolution Authorizing Emergency Appropriation Pursuant to N.J.S.A. 40A:4-46 and N.J.S.A. 40A:4048 for Down Payment in Connection with a Bond Ordinance for Renovations to Public Library (Draikewicz)

- n. 238-15 Resolution Appointing Councilman Victor Cirilo to the Joint Meeting Commission for the Remainder of the Vacated Term of Patty Spango, a Period Which Shall Conclude on December 31, 2016

Resolution(s) Removed from Consent Agenda

- o. 230-15 Resolution to Reappoint John O. Gross as Chief Financial Officer (Legal-Duffy)

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

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

- p. 234-15 Resolution Supporting the proposed NJDOT Replacement of a Structurally Deficient Bridge Deck on the Eastbound I-280 Entrance Ramp from South Bound Prospect Avenue Along with the Associated Detours (Lepore)

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

All members voting “Aye”.

- q. 235-15 Resolution Authorizing Change Order No. 1 with Matrix New World Engineering, Inc. for the Improvement of Mt. Vernon Avenue and Roosevelt Avenue in the Amount of \$6,000. (Lepore)

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

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

Ordinance(s) on Second and Final Reading

Ordinance 2459-15

On motion made by Council President Guarino and seconded by Councilwoman McCartney, **An Ordinance Creating a Reclassification and Salary Schedule of Certain Township of West Orange Employees Setting Forth Their Titles, Classification and Salary Ranges and Adopting a Salary Guide and Establishing Employee’s Status as a Township Employee Under the Guidelines of the New Jersey Department of Personnel**, 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.

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

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

All members voting "Aye".

Ordinance 2460-15

On motion made by Councilwoman McCartney and seconded by Council President Guarino, **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 - 18 Dean Street and 46 Riggs Place**, of the Revised General Ordinances of the Township of West Orange 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.

Carrie Dinkin-46 Riggs Place

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

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

All members voting "Aye".

Ordinance 2461-15

On motion made by Councilwoman McCartney and seconded by Council President Guarino, **An Ordinance Amending and Supplementing Chapter 7, Traffic Subsection 7-32.1, Handicapped Parking on Streets of the Revised General Ordinances of the Township of West Orange – 49 Harrison Avenue**, of the Revised General Ordinances of the Township of West Orange 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.

Sharrie Kirk-49 Harrison Avenue

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

On motion made by Councilman Cirilo 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 2462-15

On motion made by Council President Guarino and seconded by Councilwoman McCartney, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-10.1, Stopping or Standing Prohibited During Certain Hours on Certain Streets**, of the Revised General Ordinances of the Township of West Orange, of the Revised General Ordinances of the Township of West Orange 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.

Frances Ferguson-35 Mountain Drive

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

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

All members voting "Aye".

Ordinance(s) on First Reading

Ordinance 2463-15

- a. Bond Ordinance Authorizing Renovations to the Public Library In and For the Township of West Orange, in the County of Essex, New Jersey, Appropriating \$130,000 Therefore and Authorizing the Issuance of \$123,500 Bonds or Notes to Finance Part of the Cost Thereof (Draikewicz)**

On motion made by Councilwoman McCartney and seconded by Councilman Cirilo, the above mentioned ordinance was approved on first reading, ordered advertised according to law, to come up for second and final reading on September 29, 2015.

All members voting "Aye".

At 10:50 p.m., on Motion made by Councilman Cirilo and seconded by Council President Guarino, the Council adjourned and entered into a hearing as the ABC Board.

All members voting “Aye”.

ABC Matter(s)

- a. 541-15 Hearing on Renewal for 2015-2016 License Term-Angelitos LLC t/a El Palacio de Pollo 0722-33-039-008 (Special Conditions)**

Following a brief explanation by Ken Kayser, Assistant Township Attorney that the special conditions for the above referenced resolution remained the same, that no objection was filed by the licensee, tax clearance was received and State and Township fees were paid, and on motion made by Councilwoman McCartney and seconded by Councilman Cirilo, the above mentioned resolution was adopted.

All members voting “Aye”.

- b. 547-15 Hearing on Renewal for 2015-2016 License Term-466 Prospect Ave. t/a 4sixty6 Truth Cut 0722-33-035-011 (Special Conditions)**

Robert C. Williams, Esq. appeared before the ABC Board on behalf of the above referenced licensee to address issues with the above referenced special conditions resolution. Following the hearing, special conditions for the above referenced facility remained the same. The licensee received tax clearance, all State and Township fees were paid, and on motion made by Council President Guarino and seconded by Councilwoman McCartney, the above mentioned resolution was adopted.

All members voting “Aye”.

- c. 548-15 Hearing on Renewal for 2015-2016 License Term-Las Palmeras – 0722-33-045-005 (Special Conditions)**

Robert C. Williams, Esq. appeared before the ABC Board on behalf of the above referenced licensee to address the special conditions being considered for the above referenced licensee. Also appearing before the ABC Board was Sgt. Kevin Bolen, West Orange Police Department. Following the hearing, special conditions for the above referenced facility were implemented. The licensee received tax clearance, all State and Township fees were paid, and on motion made by Council President Guarino and seconded by Councilwoman McCartney, the above mentioned resolution was adopted.

All members voting “Aye”.

- d. 549-15 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 Councilman Cirilo and seconded by Council President Guarino, the above mentioned resolution was adopted.

All members voting “Aye”.

- e. 550-15 Failure to Renew Liquor License No. 0722-33-051-008 Henpat, LLC t/a Slate
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 Councilwoman McCartney, the above mentioned resolution was adopted.

All members voting “Aye”.

At 11:15 p.m., on Motion made by Council President Guarino and seconded by Councilman Cirilo, 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 11:15 p.m.

All members voting “Aye”.

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

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

JERRY GUARINO, COUNCIL

Adopted: September 29, 2015