

### **Conference Meeting – February 5, 2019**

The Township Council of the Township of West Orange met in the Council Chambers, Municipal Building, 66 Main Street, West Orange, New Jersey at 6:34 p.m., Karen 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. The annual notice was emailed to the Star Ledger and filed in the Township Clerk's office on September 26, 2018 and published in the West Orange Chronicle on October 4, 2018.

**Roll Call:** Councilwoman Casalino, Councilman Krakoviak, Councilwoman Matute-Brown, Councilwoman McCartney and Council President Guarino.

Mr. Sayers gave an update on Redevelopment, specifically the progress at the Edison Battery Building.

Megan Brill, Executive Director, Downtown West Orange Alliance gave an update with regard to the Downtown Corridor speaking about the new businesses that have recently opened.

### **Public Meeting – February 5, 2019**

The Township Council of the Township of West Orange met in the Council Chambers, Municipal Building, 66 Main Street, West Orange, New Jersey at 7:02p.m., Karen 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. The annual notice was emailed to the Star Ledger and filed in the Township Clerk's office on September 26, 2018 and published in the West Orange Chronicle on October 4, 2018.

**Roll Call:** Councilwoman Casalino, Councilman Krakoviak, Councilwoman Matute-Brown, Councilwoman McCartney and Council President Guarino.

### **Pledge of Allegiance**

### **Public Comment**

Rosary Morelli – Ralph Road

Althia Tweiten – West Orange African Heritage Association

There was no one else who wished to be heard and the public comment portion of the agenda was closed.

The Council responded at this time.

### **\*Resolution(s) removed from the Consent Agenda:**

### **Resolution 59-19**

59-19 Resolution Authorizing an Executive Session for the Purpose of Discussing Contract Negotiations regarding the potential purchase of land for the Township. (Legal-Kayser)

On motion made by Councilwoman Casalino and seconded by Councilman Krakoviak, the above referenced resolution was approved.

All members present voting "Aye."

At 7:19 p.m., the Council entered into Executive Session. At 9:03 p.m., the Public meeting continued. Mayor Parisi made a brief statement and the following four resolutions were added to the Public meeting agenda.

**Resolution 62-19**

62-19 Resolution Authorizing the Retention of Hendricks Appraisal Company, LLC to Perform an Appraisal as Part of its Analysis as to the Possible Acquisition of the Rock Spring Golf Course, an Approximately 137.92 Acre Golf Course Located at 90 Rock Spring Road, also known as: Block 46.01, Lot 22; Block 160, Lot 2; Block 160, Lot 10; Block 160.01, Lot 30; Block 160.01, Lot 34 at a Cost NTE \$8,500. (Legal-Trenk)

On motion made by Councilwoman Casalino and seconded by Councilwoman McCartney, the above referenced resolution was approved.

All members present voting “Aye.”

**Resolution 63-19**

63-19 Resolution Authorizing the Retention of Matrix New World, 26 Columbia Tpk., Florham Park, NJ to Prepare a Preliminary Assessment Report as to the Environmental Condition of the Rock Spring Golf Course, an Approximately 137.92 Acre Golf Course Located at 90 Rock Spring Road, also known as: Block 46.01, Lot 22; Block 160, Lot 2; Block 160, Lot 10; Block 160.01, Lot 30; Block 160.01, Lot 34 at a Cost NTE \$5,000. (Legal-Trenk)

On motion made by Council President Guarino and seconded by Councilwoman Casalino, the above referenced resolution was approved.

All members present voting “Aye.”

**Resolution 64-19**

64-19 Resolution Authorizing the Retention of Wilentz, Goldman & Spitzer, 90 Woodbridge Center Drive, Woodbridge, NJ as Special Bond Counsel Regarding the Issuance of Any Bond(s) for Funding as to the Possible Acquisition of the Rock Spring Golf Course, an Approximately 137.92 Acre Golf Course Located at 90 Rock Spring Road, also known as: Block 46.01, Lot 22; Block 160, Lot 2; Block 160, Lot 10; Block 160.01, Lot 30; Block 160.01, Lot 34 (Legal-Trenk)

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

All members present voting “Aye.”

**Resolution 65-19**

65-19 Resolution Authorizing the Retention of Special Real Estate Counsel Regarding the Possible Acquisition of the Rock Spring Golf Course, an Approximately 137.92 Acre Golf Course Located at 90 Rock Spring Road, also known as: Block 46.01, Lot 22; Block 160, Lot 2; Block 160, Lot 10; Block 160.01, Lot 30; Block 160.01, Lot 34 at a Rate of \$175 Per Hour Which Shall Not Exceed a Total of \$10,000 for Services as Special Real Estate Counsel (Legal-Trenk)

On motion made by Councilwoman Casalino and seconded by Councilwoman McCartney, the above referenced resolution was approved.

All members present voting “Aye.”

**\*Review of Consent Agenda**

**\*Approval of Minutes of Previous Meeting-** Public Meeting January 22, 2019

**\*Report of Township Officers – None**

**\*Reading of Petitions and Communications and Bids – None**

**\*Bills**

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

- a. 28-19 Resolution Authorizing Financial Reimbursement to Twenty-One Private Communities for the Costs of Snow Removal Pursuant to the Municipal Services Act (Lepore)
- b. 29-19 Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- c. 30-19 Resolution Authorizing a Professional Services Agreement with Blau and Blau for appointment as Commercial Real Estate Tax Appeal Special Counsel for the Period of January 1, 2019 through December 31, 2019 on a Flat Fee Basis of \$6,000 per Month. (Legal-Moon)  
**This resolution authorizes the execution of a professional services agreement with Blau and Blau whereby Blau and Blau will serve as Commercial Real Estate Tax Appeal Special Counsel for 2019. Pursuant to the terms of the professional services agreement, Blau and Blau will be paid on monthly rate of \$6,000.**
- d. 31-19 Resolution Authorizing a Professional Services Agreement with Bourne, Noll and Kenyon to Serve as Residential Real Estate Tax Appeal Special Counsel for the Period of January 1, 2019 through December 31, 2019 on a Flat Fee Basis of \$3,250 per Month. (Legal-Moon)  
**This resolution authorizes the execution of a professional services agreement with Bourne, Noll and Kenyon whereby Bourne, Noll and Kenyon will serve as Residential Real Estate Tax Appeal Special Counsel for 2019. Pursuant to the terms of the professional services agreement, Bourne, Noll and Kenyon will be paid on monthly rate of \$3,250.**
- e. 33-19 Resolution Authorizing the Execution of a Professional Services Agreement with Joseph Wenzel, Esq. to Serve as the Township's Municipal Prosecutor the for the Period January 1, 2019 through December 31, 2019 at the Rate of \$1,000. Per Week. (Legal-Moon)  
**This resolution authorizes the execution of a professional services agreement with Joseph Wenzel, Esq. whereby Mr. Wenzel will serve as the Municipal Prosecutor for 2019. Pursuant to the terms of the professional services agreement, Mr. Wenzel will be paid at a weekly rate of \$1,000.**
- f. 34-19 Resolution Authorizing a Professional Services Agreement with Scarinci Hollenbeck, LLC, 1100 Valley Brook Avenue, Lyndhurst, NJ to Serve as Labor Counsel for the Period of January 1, 2019 through December 31, 2019 at an Hourly Rate of \$150.00. (Legal-Moon)  
**This resolution would authorize execution of a professional services agreement with Scarinci Hollenbeck, LLC ("SL"), whereby SL would service in the capacity of Labor Counsel for the calendar year 2019 at an hourly rate of \$150.**
- g. 36-19 Resolution Authorizing a Professional Service Agreement with Hendricks Appraisal Company, Inc., 7 Hutton Avenue, West Orange, NJ to Provide Appraisal Services to the Township for the Period of January 1, 2019 through December 31, 2019 at an Hourly Rate of \$150. (Legal-Moon)  
**This resolution would authorize the execution of a professional services agreement with Hendricks Appraisal Company, LLC ("Hendricks"), whereby Hendricks would provide appraisal services for the calendar year 2019 at the hourly rate of \$150.**
- h. 37-19 Resolution Authorizing a Professional Services Agreement with Allied Risk Management Services as Risk Management Consultant for the West Orange Insurance Fund Commission for the Period January 1, 2019 through December 31, 2019. (Legal-Moon)  
**This resolution authorizes the execution of a professional services agreement with Allied Risk Management Services ("ARMS") whereby ARMS will provide Risk Management Consultant Services for the West Orange Insurance Fund Commission for 2019.**

- i. 38-19 Resolution Authorizing a Professional Services Agreement with Fox Rothschild, LLP, 75 Eisenhower Parkway, Suite 200, Roseland, NJ to Serve as Labor Counsel for the Period of January 1, 2019 through December 31, 2019 at an Hourly Rate of \$175.00. (Legal-Moon)  
**This resolution would authorize execution of a professional services agreement with Fox Rothschild, LLP (“FR”), whereby FR would serve as Labor Counsel for the calendar year 2019 at an hourly rate of \$175.**
- j. 40-19 Resolution Authorizing a Professional Services Agreement with Ellen O’Connell of Inglesino, Webster, Wyciskala & Taylor, LLC, 600 Parsippany Rd., Suite 204, Parsippany, NJ for Appointment as Hearing Officer for the Period of January 1, 2019 through December 31, 2019 at an Hourly Rate of \$175.00. (Legal-Moon)  
**This Resolution would authorize the execution of a professional services agreement with Ellen O’Connell, Esq. of Inglesino Webster, whereby Ms. O’Connell would serve in the capacity of Hearing Officer for the calendar year 2019 at an hourly rate of \$175.**
- k. 41-19 Resolution Authorizing the Township to Execute a Professional Services Agreement with Associated Appraisal Group to Perform Appraisal Services for the Township’s Tax Department for the Year 2019 at the Rates Set Forth in the Agreement (Legal-Moon)
- l. 42-19 Resolution Authorizing a Professional Services Agreement with Alice Beirne, Esq. for appointment as Zoning Board Attorney for the Period of January 1, 2019 through December 31, 2019 (Legal-Moon)  
**This resolution authorizes the execution of a professional services agreement with Alice Beirne, Esq. whereby Ms. Beirne will serve as the Zoning Board Attorney for 2019. Pursuant to the terms of the professional services agreement, Ms. Beirne will be paid an annual rate of \$3,500.**
- m. 43-19 Resolution Authorizing a Professional Services Agreement with Community Action Services, P.O. Box 6025, East Brunswick, NJ to Provide Housing Rehabilitation Services to the Township for the Period of January 1, 2019 through December 31, 2019. (Legal-Moon)  
**This resolution would authorize the execution of a professional services agreement with Community Action Services (“CAS”), whereby CAS would provide housing rehabilitation services for the calendar year 2019 at \$3,300 per single-family unit and \$8,500 per multi-family unit.**
- n. 45-19 Resolution Authorizing a Professional Services Agreement with Joseph A. Deer, Esq. to serve as the Municipal Public Defender for the Township of West Orange for the Period of January 1, 2019 through December 31, 2019 at the Rate of \$350.00 Per Session. (Legal-Moon)  
**This resolution authorizes the execution of a professional services agreement with Joseph A. Deer, Esq. whereby Mr. Deer will serve as the Public Defender for 2019. Pursuant to the terms of the professional services agreement, Mr. Deer will be paid at a rate of \$350 per Court session.**
- o. 46-19 Resolution Authorizing a Professional Services Agreement with Shirley Bishop, P.P. to Serve as Affordable Housing Consultant to the Township of West Orange for the Period of January 1, 2019 through December 31, 2019 at an Hourly Rate of \$175.00. (Legal-Moon)  
**This resolution would authorize the execution of a professional services agreement with Shirley Bishop, P.P., whereby Ms. Bishop would serve as the Township’s Affordable Housing Consultant for the calendar year 2019 at an hourly rate of \$175.**
- p. 48-19 Resolution Authorizing the Township to Retain Matrix New World to Perform Work Necessary to Close Out an Open Case from 1994 with the New Jersey Department of Environmental Protection Related to Lake Vincent in Degnan Park (Legal-Moon)
- q. 50-19 Resolution Authorizing the Execution of a Professional Services Agreement with McManimon, Scotland and Baumann, LLC to Serve as Redevelopment Counsel for the Township for the Period of January 1, 2019 through December 31, 2019 (Legal-Kayser)  
**This resolution authorizes the execution of a professional services agreement with McManimon, Scotland and Baumann, LLC (“McManimon”) whereby McManimon will serve as the Redevelopment Counsel for 2019 at the rates specified in the agreement.**

- r. 52-19 Resolution Awarding a Contract for the Lake Vincent Dam Improvements to Colonnelli Brothers, Inc., 409 S. River Street, Hackensack, NJ 07602 in the amount of \$278,845.00 (Lepore)
- s. 55-19 Resolution Authorizing the Township to Retain Paul Grygiel of Phillips Preiss Grygiel Leheny Hughes, LLC to Assist the Planning Board with the Re-Examination of the Master Plan (Legal-Moon)
- t. 56-19 Resolution Authorizing the Township to Change Third Party Administrators for the Township's Health Benefits Program to Meritain Health (Legal-Moon)
- u. 57-19 Resolution Authorizing a Professional Services Agreement with The Shade Tree Department, LLC, P.O. Box 6089, West Orange, NJ for appointment as the Township Forrester for the Period of January 1, 2019 through December 31, 2019 at an Hourly Rate of \$85. (Legal-Moon)  
**This Resolution would authorize the execution of a professional services agreement with Shade Tree Department, LLC ("Shade Tree"), whereby Shade Tree would provide forestry services for the calendar year 2019 at the hourly rate of \$85.**
- v. 58-19 Resolution Authorizing the Execution of a Shared Services Agreement with the County of Essex to Provide Welfare and Human Services for the Township of West Orange (Gross)
- w. 60-19 Resolution Authorizing a Professional Services Agreement with NW Financial Group, LLC to Provide Financial Consulting Services. (Legal-Moon)  
**This resolution would authorize the execution of a professional services agreement with NW Financial Group, LLC ("NW"), whereby NW would provide financial consulting services for the calendar year 2019 at the rates specified in the agreement.**
- x. 61-19 Resolution Authorizing a Professional Services Agreement with PKF O'Connor Davies, 293 Eisenhower Parkway, Livingston, NJ for appointment as the Township Auditor for the Period January 1, 2019 through December 31, 2019 at the Rate of \$54,000 per Audit. (Legal-Moon)  
**This resolution would authorize the execution of a professional services agreement with PKF O'Connor Davies ("PKF"), whereby PKF would provide auditing services for the calendar year 2019 at \$54,000 per audit.**

On motion made by Council President Guarino and seconded by Councilwoman Casalino, the consent agenda was approved.

All members present voting "Aye."

**\*Resolution(s) removed from the Consent Agenda:**

**Resolution 32-19**

32-19 Resolution Authorizing a Professional Services Agreement with Ken Kayser, Esq. to Serve as Assistant Township Attorney for the Term Beginning January 1, 2019 through December 31, 2019 at an Annual Rate of \$31,500. (Legal-Moon)

**This resolution authorizes the execution of a professional services agreement with Ken Kayser, Esq. whereby Mr. Kayser will serve as the Assistant Township Attorney for 2019. Pursuant to the terms of the professional services agreement, Mr. Kayser will be paid an annual rate of \$31,500.**

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

Councilwoman Casalino, Councilwoman Matute-Brown, Councilwoman McCartney and Council President Guarino voting "Aye." Councilman Krakoviak voting "Nay."

**Resolution 35-19**

35-19 Resolution Authorizing a Professional Service Agreement with CME Associates, 3759 Highway 1 South, Suite 100, Monmouth Junction, NJ 08852 to Provide (Legal-Moon)

**This resolution authorizes the Township to retain CME Associates to provide Engineering Services for the Township in 2019.**

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

All members present voting "Aye."

#### **Resolution 39-19**

39-19 Resolution Authorizing a Professional Services Agreement with Phillips Preiss Grygiel as to Paul Grygiel's Reappointment as the Township's Planning Director for 2019 (Legal-Moon)

**This resolution authorizes the execution of a professional services agreement with Phillips Preiss Grygiel Leheny Hughes, LLC to continue the retention of Paul Grygiel as the Township's Municipal Planning Director for 2019. Pursuant to the terms of the agreement, Phillips Preiss Grygiel Leheny Hughes, LLC shall be paid a monthly rate of \$2,400. for services that are non-escrow reimbursable. For all services that are reimbursable from escrow Phillips Preiss Grygiel Leheny Hughes, LLC shall be reimbursed pursuant to the rates set forth in paragraph 2 of the professional services agreement.**

On motion made by Council President Guarino and seconded by Councilwoman McCartney, the above referenced resolution was approved as amended.

All members present voting "Aye."

#### **Resolution 44-19**

44-19 Resolution Authorizing a Professional Services Agreement with Fairview Insurance for Insurance Broker Services for 2019 (Legal-Moon)

**This resolution would authorize the execution of a professional services agreement with Fairview Insurance, whereby Fairview Insurance would serve as the Township's Insurance Broker for the calendar year 2019 at a rate negotiated with the Township's Third-Party Administrator as specified in the agreement.**

A motion was made by Councilwoman Matute-Brown and seconded by Councilman Krakoviak to table the above referenced resolution. Councilwoman Casalino, Councilwoman McCartney and Council President Guarino voting "Nay." Councilwoman Matute-Brown and Councilman Krakoviak voting "Aye." The motion to table fails.

On motion made by Councilwoman Casalino and seconded by Council President Guarino, the above referenced resolution was approved. Councilwoman Casalino, Councilwoman McCartney and Council President Guarino voting "Aye." Councilwoman Matute-Brown and Councilman Krakoviak voting "Nay."

#### **Resolution 47-19**

47-19 Resolution Authorizing a Professional Services Agreement with Wayne DeFeo, 15 Washington Valley Road, Somerset, NJ to Serve as the Environmental Compliance Officer for the Period January 1, 2019 through December 31, 2019. (Legal-Moon)

**This resolution would authorize the execution of a professional services agreement with Wayne DeFeo, whereby Mr. DeFeo would serve as the Township's Environmental Compliance Officer for the calendar year 2019 at the rates specified in the agreement.**

On motion made by Council President Guarino and seconded by Councilwoman McCartney, the above referenced resolution was approved as amended.

All members present voting "Aye."

**Resolution 49-19**

49-19 Resolution Authorizing the Execution of a Professional Services Agreement with McManimon, Scotland and Baumann, LLC to Serve as Bond Counsel for the Township for the Period of January 1, 2019 through December 31, 2019 (Legal-Kayser)

**This resolution authorizes the execution of a professional services agreement with McManimon, Scotland and Baumann, LLC (“McManimon”) whereby McManimon will serve as the Bond Counsel for 2019 at the rates specified in the agreement.**

On motion made by Councilwoman Casalino and seconded by Council President Guarino, the above referenced resolution was approved.

Councilwoman Casalino, Councilwoman McCartney and Council President Guarino voting “Aye.” Councilwoman Matute-Brown and Councilman Krakoviak voting “Nay.”

**Resolution 51-19**

51-19 Resolution Authorizing the Execution of a Professional Services Agreement with Richard Trenk, Esq. of McManimon, Scotland and Baumann, LLC to Serve as Township Attorney, and other Members and Associates of the McManimon, Scotland and Baumann, LLC, to Assist Him at his Direction and at No Additional Cost for Non-Litigated Matters and for which the Firm is not hired as Special Counsel (Legal-Kayser)

On motion made by Councilwoman Casalino and seconded by Councilwoman McCartney, the above referenced resolution was approved.

Councilwoman Casalino, Councilwoman McCartney and Council President Guarino voting “Aye.” Councilwoman Matute-Brown and Councilman Krakoviak voting “Nay.”

**Resolution 53-19**

53-19 Resolution Authorizing a Professional Services Agreement with Buzz1441, Inc. for Appointment as the Township’s Social Media and Marketing Coordinator for the term beginning January 1, 2019 through December 31, 2019 to be Paid in Monthly Installments of \$2,000. (Legal-Moon)

**This resolution would authorize the execution of a professional services agreement with Buzz1441, Inc., whereby Buzz1441, Inc. would provide social media and marketing coordination services for the calendar year 2019 at a monthly rate of \$2,000.**

On motion made by Councilwoman Casalino and seconded by Councilwoman McCartney, the above referenced resolution was approved.

Councilwoman Casalino, Councilwoman McCartney and Council President Guarino voting “Aye.” Councilwoman Matute-Brown and Councilman Krakoviak voting “Nay.”

**Resolution 54-19**

54-19 Resolution Authorizing the Township to Retain Paul Grygiel of Phillips Preiss Grygiel Leheny Hughes, LLC to Prepare a Study as to the Demographic Impact of Multi-Family Development within the Township of West Orange (Legal-Moon)

On motion made by Councilwoman McCartney and seconded by Councilwoman Casalino, the above referenced resolution was approved.

Councilwoman Casalino, Councilwoman Matute-Brown, Councilwoman McCartney and Council President Guarino voting “Aye.” Councilman Krakoviak voting “Nay.”

## **Ordinances on Second and Final Reading**

### **Ordinance 2559-19**

On motion made by Council President Guarino and seconded by Councilwoman McCartney, **An Ordinance Amending Chapter 25, Sections 46.2, 46.5 and 46.6 of the Revised General Ordinances of the Township of West Orange (Planning Board – Terms)** was taken up on second and final reading.

All members present 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 Councilwoman McCartney and seconded by Council President Guarino, the above-mentioned ordinance was approved on second and final reading.

All members present voting “Aye”.

### **Ordinance 2560-19**

On motion made by Councilwoman McCartney and seconded by Council President Guarino, **An Ordinance Amending Chapter 2, Sections 8.9, 55.3 and 55.6, and Chapter 25, Sections 32.7, 47.5 and 47.6 of the Revised General Ordinances of the Township of West Orange (Update of Appointments from July 1 to January 1)** was taken up on second and final reading.

All members present 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 Councilwoman McCartney and seconded by Council President Guarino, the above-mentioned ordinance was approved on second and final reading.

All members present voting “Aye”.

## **Ordinances on First Reading**

### **Ordinance 2561-19**

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 – 138 Watchung Ave.** was approved on first reading, ordered advertised according to law, to come up for second and final reading on February 5, 2019.

All members present voting “Aye”.

## **Pending Matters/New Matters/Council Discussion**

Councilman Krakoviak asked for an update on the Legionella issue and the heat/noise issue in Council Chambers.

## **ABC Hearing - None**



At 10:41 p.m., on motion made by Councilwoman Casalino and seconded by Council President Guarino, the meeting was adjourned.

All members present 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.**  
**Municipal Clerk**

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**Jerry Guarino, Council President**

**Adopted: February 19, 2019**