

Conference Meeting – May 14, 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 6:41 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.

Council President Guarino participated in the meeting via telephone, and later arrived at the meeting. Councilwoman McCartney was named Acting Council President for the evening.

A proclamation was presented to Lieutenant Michael Cassidy, West Orange Police Department supporting the "Click It or Ticket" mobilization from May 20 – June 2, 2019. Police Chief James Abbott spoke about Fentanyl test strips and unwanted prescription drug disposal available at the Police Department. A proclamation was presented to Tami Eagle Bowling and Deborah Eagle Feinberg, founders of METAvivors of NJ recognizing May as National Cancer Research Month and National Women's Health Week from May 12 – 19, 2019. A proclamation was presented to Nicole Ruffo recognizing Food Allergy Awareness Week from May 12-18, 2019. John Gross announced that the Township had won an award from Fairleigh Dickinson University Municipal Innovation Summit for the W.O. Human Capital Management Program which he explained is moving the Township from Human Resource Management to Human Capital Management through the use of technology.

Mr. Sayers gave an update on Redevelopment. The Council members each gave their council liaison announcements.

Public Meeting – May 14, 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 7:24 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.

Public Comment

Tammy Williams – Chair-Human Relations Commission/16 Hillside Avenue

Micaela Bennett – 35 Old Indian Road

Joe Fagan – West Orange Public Information Officer

Gary Van Wyk – 71 Burnett Terrace

Gina Velazquez – 22 Korwel Circle

Vivian Demas – 9 Spring Hill Road

Kate Baker – 11 Florence Place

Rosary Morelli – Ralph Road

Clare Silvestri – 20 Grandview Avenue

Megan Brill – Executive Director, Downtown West Orange Alliance

Suzanne Pennell – 27 Fairview Avenue

Michaelin Formato – 10 Gaston Street

Loren Svetvilas – Prospect Avenue

Anthony Puglisi – Essex County Public Information Officer

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

***Review of Consent Agenda**

***Approval of Minutes of Previous Meeting-** Public Meeting and Executive Session of April 30, 2019.

***Report of Township Officers – None**

f. ***Reading of Petitions and Communications and Bids –** Planning Board Recommendation Proposed Ordinance 2565-19 – Planning Board Resolution 19-02

***Bills**

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

- a. **125-19** Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- b. **126-19** Resolution Authorizing Professional Appraisal Services of Ronald D. Chiarello, MAI, Summit, NJ to Evaluate the Fair Market Value of Property Located at 200 Pleasant Valley Way, West Orange, NJ (Legal-Trenk)
- c. **127-19** Resolution Authorizing an Executive Session to Discuss a Matter of Potential Litigation – OSPAC
- d. **129-19 Resolution Authorizing Change** Order No. 2 for the Contract Improvement of Curtis Avenue and Garfield Avenue with A & J Contractors Group, Inc., 105 Federal Road, Monroe Township, New Jersey 08831 in the amount of \$100,000.00. to allow for the Milling and Resurfacing of Old Indian Road from Pleasant Valley Way (inclusive) to St. Cloud Avenue. This represents an improvement 1000 feet long with a typical unit cost of \$100.00 per linear feet. (Lepore)
- e. **130-19** Resolution Approving Tax Appeal Settlement concerning Block 151, Lot 30 to Increase Tax Assessments for 2018 and 2019 (Legal-Trenk)
- f. **131-19** Resolution Authorizing the Township to Accept a Grant in an Amount up to \$129,177 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority (the “EDA”) for the Remedial Investigation of the Property Acquired by the Township at 18 Central Avenue. This resolution is part of the requirements from the EDA to finalize the acceptance of the grant funds (Legal-Moon)
- g. **132-19** Resolution Authorizing the Township to Execute an Acceptance Letter from the New Jersey Economic Development Authority (the “EDA”) to Formally Accept a Grant Award in an Amount up to \$41,934 to Fund the Preparation of a Remedial Action Workplan for the Property Acquired by the Township at 18 Central Avenue (Legal-Moon)
- h. **133-19** Resolution Authorizing the Release of the Performance Bond posted by DGP Urban Renewal, LLC Redevelopers of the Edison Lofts, 177 Main Street, West Orange, NJ 07052, Block 66, Lot 1 to Guarantee the Installation of Certain Site Improvements in the amount of \$676,303.20, Subject to Posting a Maintenance Bond with the Township for a Two Year Period in the Amount of \$252,500.58 (Lepore)

- i. **135-19** Resolution Authorizing Online Auction of Township Surplus Property (DeSantis)
- j. **136-19** Resolution Authorizing the Issuance of a Duplicate Tax Sale Certificate Pursuant to N.J.S.A. 54:6-52.1 (Gagliardo)

On motion made by Councilwoman McCartney and seconded by Councilwoman Casalino, the consent agenda was approved.

All members present voting "Aye."

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

- k. **128-19** Resolution Authorizing Change Order No. 3 for the Contract 2017 Street Improvements Phase IV with Reggio Construction, Inc., 1575 West Street, Fort Lee, NJ 07024, in the Amount of \$59,716.51 which Represents a 2.91 Increase in the Original Contract to Account for As-Built Quantities throughout the Project for the Nearly 50 Items of Construction (Lepore)

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

All members present voting "Aye."

- l. **134-19** A Resolution Requesting Planning Board Review of a Resolution Designating Certain Property in the Township as an Area in Need of Rehabilitation and Authorizing the Planning Board to Undertake a Preliminary Investigation to Determine Whether Certain Properties within Blocks 116 and 116.01 Qualify for Designation as a Condemnation Area in Need of Redevelopment (Legal-Cofoni)

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

All members present voting "Aye."

- m. **137-19** Resolution Authorizing the Township to Enter into a Memorandum of Agreement to Revise the Collective Bargaining Agreement with the Fire Superior Officers Association for the Period between January 1,2018 through December 31, 2022 (Legal-Moon)

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

All members present voting "Aye."

- n. **138-19** Resolution authorizing the Township to Enter into a Memorandum of Agreement to Revise the Collective Bargaining Agreement with the Fireman's Mutual Benevolent Association, Local 28 for the Period between January 1,2018 through December 31, 2022 (Legal-Moon)

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

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

Ordinance(s) on Second and Final Reading

Ordinance 2565-19

On motion made by Councilwoman Casalino and seconded by Councilwoman McCartney, **An Ordinance Amending Chapter 25, Section 3.2 of the Revised General Ordinances of the Township of West Orange (Zone Map)** of the Revised General Ordinances of the Township of West Orange 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 Councilwoman Casalino, the above-mentioned ordinance was approved on second and final reading.

All members present voting "Aye".

Ordinance 2568-19

On motion made by Councilwoman McCartney and seconded by Councilwoman Casalino, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-20, Stop Intersections of the Revised General Ordinances of the Township of West Orange (Oakridge Road and Hazel Avenue)** of the Revised General Ordinances of the Township of West Orange 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 Councilwoman Casalino, the above-mentioned ordinance was approved on second and final reading.

All members present voting "Aye".

Ordinance 2569-19

On motion made by Councilwoman McCartney and seconded by Councilwoman Casalino, **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-65 Watson Ave., 41 Ridgehurst Rd., 16 Mountain Ave., 16 Glennon Pl., 100 Swaine Pl.** of the Revised General Ordinances of the Township of West Orange 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 Casalino and seconded by Councilwoman McCartney, the above-mentioned ordinance was approved on second and final reading.

All members present voting “Aye”.

At 9:40 p.m. a motion to recess the meeting was made by Councilwoman Matute-Brown and seconded by Councilman Krakoviak for the purpose of entering into Executive Session.

All members present voting “Aye.”

At 9:53 p.m. a motion was made to return to the Council meeting by Councilwoman McCartney and seconded by Councilwoman Matute-Brown.

All members present voting “Aye.”

Council President Guarino recused himself from participating in the Executive Session.

Ordinance 2570-19

On motion made by Councilwoman Casalino and seconded by Councilwoman McCartney, **An Ordinance Authorizing the Execution of a License Agreement with Pleasant Valley Productions, Inc. for Use and Operation of the Oskar Schindler Performing Arts Center** of the Revised General Ordinances of the Township of West Orange was taken up on second and final reading.

All members present voting “Aye”.

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

Micaela Bennett – 35 Old Indian Road

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

On motion made by Councilwoman Casalino and seconded by Councilwoman McCartney, the above-mentioned ordinance was approved on second and final reading.

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

Ordinances on First Reading

Ordinance 2571-19

On motion made by Council President Guarino and seconded by Councilwoman McCartney, **An Ordinance Amending Chapter 5, Sections 25.3, 25.4, 25.5, 25.15, 25.20 and 25.25 of the Revised General Ordinances of the Township of West Orange (Massage Businesses)** was approved on first reading, ordered advertised according to law, to come up for second and final reading on May 29, 2019.

All members present voting “Aye”.

Ordinance 2572-19

On motion made by Councilwoman Casalino and seconded by Council President Guarino, **An Ordinance Authorizing the Offer of Private Sale of the Property at Block 175.08, Lot 7 on the Township of West Orange Tax Map to the Adjacent Property Owners Pursuant to Local Lands and Building Law** was approved on first reading, ordered advertised according to law, to come up for second and final reading on May 29, 2019.

All members present voting “Aye”.

Pending Matters/New Matters/Council Discussion

The following matters were discussed: Work Sessions for the Council members together with the Administration.
Seating for Senior Citizens in Council Chambers.

ABC Hearing – None

At 10:59 p.m., on motion made by Councilwoman McCartney and seconded by Councilwoman Matute-Brown, the meeting was adjourned.

All members present voting “Aye”.

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

Karen J. Carnevale, R.M.C.
Municipal Clerk

Jerry Guarino, Council President

Adopted: May 29, 2019