

## **Public Meeting - August 30, 2011**

The Township Council of the Township of West Orange met in the 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, Chapter 231, Public Law, 1975. A notice of this meeting was mailed to the Star Ledger and the West Orange Chronicle on November 19, 2010.

### **Roll Call:**

**Present:** Councilman Anderton, Councilman Cirilo, Councilman Krakoviak, Councilwoman McCartney and Council President Spango

**Absent:** None

The Township identified and presented for unanimous consent, Item 5 (Minutes), Item 8 (Bills) and Item 11 (Certain Resolutions).

On motion made by Councilman Anderton 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.

Maryellen Morrow, Eagle Ridge, West Orange spoke in support Resolution #207-11, Resolution to Design and Implement a Brand Campaign.

Rosary Morelli, Ralph Road, West Orange, inquired about the status of moving the Municipal Election to November. Ms. Morelli also thanked Mayor Parisi for a job well done in the aftermath of Hurricane Irene, especially for the senior citizens.

Windale Simpson, Hillside Avenue, West Orange commented on the presentation for e-ticketing and also commented on the Fair Housing Act, tax relief for senior citizens.

Anthony Pugliese, Public Information Officer for Essex County commented on upcoming Essex County events.

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

### **Minutes**

The Public Minutes of July 1, 2011 and July 26, 2011 were approved as submitted.

**Bills**

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

**Resolutions**

The following resolutions were adopted:

**Resolution #194-11**

Resolution Authorizing Issuance of Raffle Licenses

**Resolution #197-11**

Resolution Granting an Exemption of Real Estate Taxes to a Totally Disabled Veteran and Authorizes the Tax Collector to Refund the Sum of \$5,842.35 Which Represents Taxes Paid from January 1, 2011 through June 30, 2011

**Resolution #198-11**

Resolution Authorizing the Chief Financial Officer to Void the Listed 2009 Purchase Order/Resolution and Remove from the Books and Records of the Township of West Orange

**Resolution #199-11**

Resolution Authorizing the Township of West Orange to Submit the Best Practices Inventory to the Division of Local Government Services

**Resolution #200-11**

Resolution Granting an Exemption of Real Estate Taxes to the Widow of a Totally Disabled Veteran and Authorizes the Tax Collector to Refund the Sum of \$4,031.23 and Reimbursement of \$250.00 Homestead Rebate Totaling \$281.23 Which Represents Taxes Paid from January 1, 2011 through March 31, 2011

**Resolution #202-11**

Resolution Authorizing the Tax Collector to Refund Payment to Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey

**Resolution #204-11**

Resolution Authorizing the Tax Collector to Refund Payment to Listed Taxpayer Pursuant to Final Judgment by the Essex County Board of Taxation

**Resolution #205-11**

Resolution Authorizing a Refund for Payment of Fees to Listed Residents for 2011 Adult Softball Totaling \$2,280.00 (Refund of Forfeit fees paid upon start of season)

**Resolution #206-11**

Resolution Designating Metropolitan Life Insurance Company as an Additional Provider of a Deferred Compensation Plan Which May Be Presented to Township Employees at No Cost or Expense to the Township

**Resolution #209-11**

Resolution Authorizing the Tax Collector to Issue a Credit in the Amount of \$267.98, 40 Oakridge Road, West Orange which Represents their 2011 Homestead Rebate

**Resolution #210-11**

Resolution Authorizing Refunds to Overbilled Taxpayers Due to Revaluation

**Resolution #212-11**

Resolution Authorizing a Refund to Sunrise West Orange NJ Senior Living, LLC for Overpayment of Real Estate Taxes Due and Owing for the First and Second Quarter of 2011 Totaling \$12,088.67

**Resolution #214-11**

Resolution Recommending the Sale of Township Owned Property in Block 176.04 Lots 17 and 18, Block 176.08 Lots 11, 12 and a Portion of 14 along Arnold Terrace, a Paper Street, to adjoining property owners at 26 and 28 Cliff Street

**Ordinance on Second and Final Reading**

**Ordinance #2325-11**

On motion made by Councilman Anderton and seconded by Councilman Cirilo, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II, SECTION 57, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED OPEN SPACE AND RECREATION COMMITTEE AND TRUST FUND, 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.

Following discussion and on motion made by Councilman Krakoviak and seconded by Councilman Anderton, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

All members voting "Aye".

**Ordinance #2326-11**

On motion made by Councilman Krakoviak and seconded by Councilman Cirilo, AN ORDINANCE AUTHORIZING THE REPAVING AND REPAIRS INCIDENTAL THERETO OF CERTAIN STREETS WITHIN THE TOWNSHIP OF WEST ORANGE AS LOCAL IMPROVEMENTS TO BE ASSESSED UPON THE ABUTTING LAND PURSUANT TO NJSA 40:56-3, 56-1 AND 40:49-6, **Ridge Road**, 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.

Following discussion and on motion made by Councilman Krakoviak and seconded by Councilman Anderton, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

All members voting "Aye".

**Ordinance #2327-11**

On motion made by Councilman Krakoviak and seconded by Councilman Anderton, AN ORDINANCE AUTHORIZING THE REPAVING AND REPAIRS INCIDENTAL THERETO OF CERTAIN STREETS WITHIN THE TOWNSHIP OF WEST ORANGE AS LOCAL IMPROVEMENTS TO BE ASSESSED UPON THE ABUTTING LAND PURSUANT TO NJSA 40:56-3, 56-1, AND 40:49-6, **Various Streets**, 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.

Mark Levy, 344 Araneo Drive, Eagle Ridge, West Orange spoke in support of the above ordinance.

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

Following discussion and on motion made by Councilman Krakoviak 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 on First Reading**

#### **Ordinance #2328-11**

On motion made by Councilman Anderton and seconded by Councilwoman McCartney, AN ORDINANCE AUTHORIZING SALE OF TOWNSHIP OWNED LAND (BLOCK 152.19, Lot 1154), to Contiguous Property Owner Pursuant to N.J.S.A. 40A:12-13 b (5) - Bachman Terrace, West Orange, was taken up on first reading by title only.

All members voting "Aye".

The Clerk read the ordinance by title only.

Samantha Commarato, the only bidder for the above mentioned property, commented and responded to questions from Council.

Following discussion and on motion made by Councilman Anderton 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 September 13, 2011.

All members voting "Aye".

#### **Resolution #195-11**

Resolution Appointing Joanne Gagliardo as Tax Collector for the Township of West Orange

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

All members voting "Aye".

Joanne Gagliardo thanked the Mayor and Township Council for their support. Mayor Parisi and the Township Council congratulated Ms. Gagliardo on her appointment.

#### **Resolution #196-11**

Resolution Authorizing Acceptance and Execution of Mitigation Settlement Agreement for BPU Petition for Determination Under N.J.S.A. 40:55D-19 for Proposed 230 KV North Central Reliability Project

Arthur Guida, Representing External Affairs for PSE&G, commented on the above resolution and responded to questions from Council.

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

All members voting "Aye".

**Resolution #201-11**

Resolution Authorizing Appraisal Systems, Inc. to Perform Certain Additional Services for Added Assessments

Following discussion and on motion made by Councilwoman McCartney and seconded by Councilman Anderton, the above mentioned resolution was adopted.

All members voting "Aye".

**Resolution #203-11**

Resolution Appointing John Gross to the position of Chief Financial Officer for the Township of West Orange

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

All members voting "Aye".

John Gross thanked the Mayor and Township Council for their support. Mayor Parisi and the Township Council congratulated Mr. Gross on his appointment.

**Resolution #207-11**

Resolution Authorizing an Agreement with Direct Ignition, LLC, 50 Oak Crest Road, West Orange to Design and Implement a Brand Campaign in an Amount NTE \$15,000

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

Patrick Sutherland, of Direct Ignition, LLC, commented on the above resolution and responded to questions from Council.

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

**Resolution #208-11**

Resolution Authorizing a Shared Services Agreement Between the County of Essex and the West Orange Police Department for the Purpose of Sharing Law Enforcement Services and Information by Being Permitted Access to the County Wide Criminal Justice Information System (CJIS)

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

All members voting "Aye".

**Resolution #211-11**

Resolution Approving the Use of Internet Auction Services for the Sale of Personal Township Property

Following discussion, a motion was made by Councilman Anderton and seconded by Councilman Cirilo to amend the above resolution (1<sup>st</sup> amendment).

All members voting "Aye".

A motion was made by Councilman Anderton and seconded by Councilman Cirilo to amend the above resolution (2<sup>nd</sup> amendment).

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

All members voting "Aye".

**Resolution #213-11**

Resolution Authorizing Change Order No. 2 and Final in the Amount of \$46,762.74 with **A&J Contractors, Inc. of Monroe, New Jersey for 2010 Roadway Improvements - Phase I, Various Streets** bringing the final contract amount of \$649,540.04

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

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

All members voting "Aye".

**Resolution #215-11**

Resolution Reappointing Alicia Skinner t/a Skinner Consulting Services, the Township's Grant Writer for an Additional Six Month Period at a Rate of \$14,000 Commencing September 1, 2011 and ending February 29, 2012

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

**All members voting "Aye".**

**Resolution #122-11**

Resolution Authorizing a Refund of 2008 Property Taxes in the Amount of \$6,135.76, 2009 Property Taxes in the Amount of \$6,348.78 and 2010 Property Taxes in the Amount of \$4,878.22 for Overpayment for 568 Mount Pleasant Avenue, West Orange, NJ

Paul Bishop, Esq. of Brach Eichler, representing the owner of the property, commented on the above resolution and responded to questions from Council.

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

**All members voting "Aye" to defeat.**

**ABC**

On motion made by Councilman Cirilo and seconded by Councilwoman McCartney, the Council reconvened as the ABC Board.

Resolution #462 - Hearing on Renewal for 2011-2012 License Term - Ekko/Zen (Special Conditions)

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

**All members voting "Aye".**

Resolution #465 - Person to Person Transfer - RGAB Corporation t/a Wine Yard to Shaku & Kaamil, Inc. t/a Prospect Liquors

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

**All members voting "Aye".**

Resolution #466 - ABC Renewal for the 2011-2012 License Term - Harrison Avenue Tavern

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

**All members voting "Aye".**

On motion made by Councilman Anderton and seconded by Councilman Cirilo, the Council adjourned as the ABC Board.



All members voting "Aye".

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

On motion made by Councilman Krakoviak and seconded by Councilman Anderton, the meeting was adjourned at 12:07 a.m.

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**PATRICIA SPANGO, COUNCIL PRESIDENT  
MUNICIPAL CLERK**

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**KAREN J. CARNEVALE,**

**Adopted: September 13, 2011**