

Conference Meeting – March 3, 2020

The Township Council of the Township of West Orange met in the Council Chambers, Municipal Building, 66 Main Street, West Orange, New Jersey at 6:33 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 October 31, 2019 and published in the West Orange Chronicle on November 7, 2019.

Roll Call – Councilman Guarino, Councilman Krakoviak, Councilwoman Matute-Brown, Councilwoman McCartney, Council President Casalino

A Mayor’s Proclamation was presented to Emily Cooper, West Orange Shoprite Dietician recognizing Registered Dietician Day. A presentation on Colon Cancer Awareness was made by Jane Rubino, Montclair State University.

Mr. Sayers gave an update on the Redevelopment projects in the Township. The Council gave their liaison announcements.

Public Meeting – March 3, 2020

The Township Council of the Township of West Orange met in the Council Chambers, Municipal Building, 66 Main Street, West Orange, New Jersey at 7:10 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 October 31, 2019 and published in the West Orange Chronicle on November 7, 2019.

Roll Call – Councilman Guarino, Councilman Krakoviak, Councilwoman Matute-Brown, Councilwoman McCartney, Council President Casalino

Public Comment

Brent Scott – 75 Nestro Road

Karen Mengden – 9 Undercliff Terrace

Khabirah Myers – 157 Marion Drive

Anthony Puglisi – Public Information Officer – Essex County

Michael Cassidy – President, Superior Officers Association

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 February 18, 2020

***Report of Township Officers – None**

***Reading of Petitions and Communications and Bids - None**

***Bills**

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

- a. 41-20 Resolution Approving Proposed Tax Appeal Settlement with Pleasantdale Chateau (Legal-Trenk)

- b. 42-20 Resolution Authorizing the Collector of Taxes to Rebate the Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey (Gagliardo)
- c. 43-20 Resolution Authorizing Financial Reimbursement to Twenty-One Private Communities for the Costs of Street Lighting Pursuant to the Municipal Services Act (Lepore)
- d. 44-20 Resolution Authorizing the Issuance of Raffle Licenses (Clerk)
- e. 45-20 Resolution Authorizing the Subordination of Mortgage on the Property at 11 Alan Street to Allow the Owner of the Property to Obtain a Home Equity Line of Credit (Legal-Maier)
- f. 46-20 Resolution Authorizing a Professional Services Contract with Herbst Musciano, 611 Main Street, Second Floor, Boonton, New Jersey 07005 to Provide Professional Architectural Services for New Roofs at Fire Headquarters, Fire Station No.2 and the Municipal Building for a Fee NTE \$45,636.00. (Lepore)
- g. 47-20 Resolution Authorizing and Endorsing Grant Application Under the NJ Library Construction Bond Act (Legal-Trenk)
- h. 48-20 Resolution Authorizing Reimbursement Costs for Private Garbage Collection for the Period of January 1, 2019 through December 31, 2019 to Private Home Owner Associations/Individuals (Gross)
- i. 49-20 Resolution Authorizing the Retention of Associated Appraisal Group, 6 Commerce Drive, 3rd Floor, Cranford, NJ to Provide Appraisal Services to the Township of West Orange's Tax Department for the Period of January 2, 2020 – December 31, 2020 in the Amount NTE \$60,000. (Legal-Maier)
- j. 50-20 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, 2020 through December 31, 2020 on a Flat Fee Basis of \$6,000 per Month. (Legal-Maier)
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 2020. Pursuant to the terms of the professional services agreement, Blau and Blau will be paid on monthly rate of \$6,000.
- k. 51-20 Resolution Authorizing a Professional Service Agreement with CME Associates, 3151 Bordentown Avenue. Parlin, NJ 08859-1162 (Legal-Maier)
This resolution authorizes the Township to retain CME Associates to provide Engineering Services for the Township in 2020.
- l. 52-20 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, 2020 through December 31, 2020 at the Rate of \$1,000. Per Week. (Legal-Maier)
This resolution authorizes the execution of a professional services agreement with Joseph Wenzel, Esq. whereby Mr. Wenzel will serve as the Municipal Prosecutor for 2020. Pursuant to the terms of the professional services agreement, Mr. Wenzel will be paid at a weekly rate of \$1,000.
- m. 53-20 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, 2020 through December 31, 2020 at an Hourly Rate of \$175.00. (Legal-Maier)
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 2020 at an hourly rate of \$175.

- n. 54-20 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, 2020 through December 31, 2020 at the Rate of \$350.00 Per Session. (Legal-Maier)
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 2020. Pursuant to the terms of the professional services agreement, Mr. Deer will be paid at a rate of \$350 per Court session.
- o. 56-20 Resolution Authorizing a Professional Services Agreement with Alice Beirne, Esq., 111 Northfield Avenue, Suite 202, West Orange, NJ for appointment as Zoning Board Attorney for the Period of January 1, 2020 through December 31, 2020 (Legal-Maier.)
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 2020, pursuant to the terms of the professional services agreement.
- p. 57-20 Resolution Authorizing a Professional Services Agreement with NW Financial Group, LLC to Provide Financial Consulting Services. (Legal-Maier)
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 2020 at the rates specified in the agreement.
- q. 60-20 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, 2020 through December 31, 2020 at an Hourly Rate of \$85. (Legal-Maier)
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 2020 at the hourly rate of \$85.
- r. 61-20 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, 2020 through December 31, 2020 at an Hourly Rate of \$150.00. (Legal-Maier)
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 2020 at an hourly rate of \$150.
- s. 62-20 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, 2020 through December 31, 2020 at an Hourly Rate of \$175.00. (Legal-Maier)
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 2020 at an hourly rate of \$175.
- t. 63-20 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, 2020 through December 31, 2020 (Legal-Maier)
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 2020 at \$3,300 per single-family unit and \$8,500 per multi-family unit.
- u. 64-20 Resolution Authorizing the Township to Execute a Professional Services Agreement with Dr. Robert DeFilippis, D.V.M., Roseland Animal Care for the Provision of Veterinary Supervision Services for the Period of January 1, 2020 through December 31, 2020 at a Rate of \$8,532.00 (Legal-Maier)

- v. 65-20 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, 2020 through December 31, 2020. (Legal-Maier)
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 2020 at the rates specified in the agreement.
- w. 66-20 Resolution Authorizing the Auction of Abandoned Vehicles (DeSantis)
- x. 67-20 Resolution Approving Tax Appeal Settlement with 640 Eagle Rock, LLC for Property Located at 642 Eagle Rock Avenue, Block 154, Lot 14 (Legal-Trenk)
- y. 68-20 Resolution Authorizing the Collector of Taxes to Refund Payment to the Listed Taxpayer Due to An Overpayment of Taxes Due to a Duplicate Payment (Gagliardo)
- z. 72-20 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, 2020 through December 31, 2020 at an Hourly Rate of \$150. (Legal-Maier)
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 2020 the rates specified in the agreement.
- aa. 73-20 Resolution to Award a contract to Ring Central, Inc. for Telecommunication Services (DeSantis)
- bb. 74-20 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, 2020 through December 31, 2020 (Legal-Maier)
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 2020.
- cc. 75-20 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, 2020 through December 31, 2020 on a Flat Fee Basis of \$3,250 per Month. (Legal-Maier)
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 2020. Pursuant to the terms of the professional services agreement, Bourne, Noll and Kenyon will be paid on monthly rate of \$3,250.
- dd. 77-20 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, 2020 through December 31, 2020 at an Hourly Rate of \$175.00. (Legal-Maier)
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 2020 at an hourly rate of \$175.
- ee. 78-20 Resolution Authorizing the Professional Services Contract with Harvey Grossman, Esq. for appointment as the Township's Public Advocate for a One Year Term from January 1, 2020 through December 31, 2020 at a Rate of \$3,500. per Year; and \$250 per Meeting to Prepare and Attend all Meetings that Require a Special Advocate Pursuant to Chapter 2, Subsection 9.5 (Legal-Maier)
- ff. 79-20 Resolution Authorizing an Executive Session for the Purpose of Discussing Contract Negotiations with Regard to Collective Bargaining Agreements

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

All members present voting "Aye."

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

- a. 40-20 Resolution Authorizing the Township to Enter into and Execute an Agreement with Goose Control Technology for the Calendar Year 2020, at a Rate of \$3,000. for Implementation of a Nuisance Related Geese Control Program (DeNova)

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

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

- b. 55-20 Resolution Authorizing a Professional Services Agreement with Kenneth D. McPherson, III, Esq. to serve as the Planning Board Attorney for the Township of West Orange for the Period of March 1, 2020 through December 31, 2020 at the rates specified in the agreement (Legal-Maier)

This resolution authorizes the execution of a professional services agreement with Kenneth D. McPherson, III, Esq. whereby Mr. McPherson will serve as the Planning Board Attorney for 2020, pursuant to the terms of the professional services agreement.

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

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

- c. 58-20 Resolution Authorizing a Professional Services Agreement with Phillips Preiss Grygiel as to Paul Grygiel's Reappointment as the Township's Planning Director for 2020 (Legal-Maier)

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 2020, pursuant to the terms of the agreement.

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

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

- d. 59-20 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, 2020 through December 31, 2020 at the Rate of \$55,000 per Audit. (Legal-Maier)

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 2020 at \$55,000 per audit.

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

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

- e. 69-20 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, 2020 through December 31, 2020 (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 2020 at the rates specified in the agreement.

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

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

- f. 70-20 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, 2020 through December 31, 2020 (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 2020 at the rates specified in the agreement.

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

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

- g. 71-20 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 for 2020 at the rates specified in the agreement (Legal-Kayser)

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

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

- h. 76-20 Resolution Authorizing a Professional Services Agreement with Ken Kayser, Esq. to Serve as Assistant Township Attorney for the Term Beginning January 1, 2020 through December 31, 2020 at an Annual Rate of \$31,500. (Legal-Maier)

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 2020. 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 Casalino and seconded by Councilwoman McCartney, the above referenced resolution was approved.

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

Ordinance(s) on Second Reading – None

Ordinance(s) on First Reading

- a. **2598-20** On motion made by Councilwoman Casalino and seconded by Councilman Guarino, **An Ordinance Amending and Supplementing Chapter XXV, Section 25-30.2 of the Revising General Ordinances of the Township of West Orange Entitled “Historic Preservation Commission”, Subsections a. and b. To Add a**

Council Liaison as an Ex Officio Non-Voting Member was approved on first reading, ordered advertised according to law, to come up for second and final reading on March 24, 2020.

All members present voting "Aye".

- b. **2599-20** On motion made by Council President Casalino and seconded by Councilman Guarino, **An Ordinance Amending Chapter 2, Section 14.2 of the Revised General Ordinances of the Township of West Orange (Police Department)** was approved on first reading, ordered advertised according to law, to come up for second and final reading on March 24, 2020.

All members present voting "Aye".

- c. **2600-20** On motion made by Councilwoman Matute-Brown and seconded by Council President Casalino, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-19 Through Streets and 7-21 Multiway Stop Intersection of the Revised General Ordinances of the Township of West Orange** was approved on first reading, ordered advertised according to law, to come up for second and final reading on March 24, 2020.

All members present voting "Aye".

- d. **2601-20** On motion made by Councilwoman Matute-Brown and seconded by Council President Casalino, **An Ordinance Amending and Supplementing Chapter 7, Traffic, Subsection 7-29.1 Speed Limits in General of the Revised Ordinances of the Township of West Orange** was approved on first reading, ordered advertised according to law, to come up for second and final reading on March 24, 2020.

All members present voting "Aye".

Pending Matters/New Matters/Council Discussion

- Budget Hearing dates were discussed.
- Councilman Krakoviak addressed comments made by Susan Anderson at the February 18, 2020 meeting.

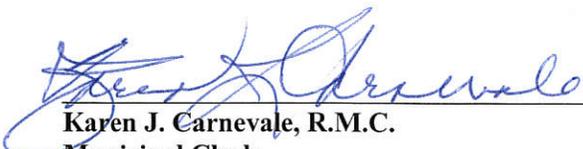
On motion made by Council President Casalino and seconded by Councilman Krakoviak, 79-20 Resolution Authorizing an Executive Session for the Purpose of Discussing Contract Negotiations with Regard to Collective Bargaining Agreements was approved.

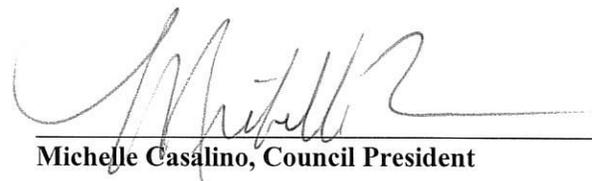
All members present voting "Aye".

At 9:09 p.m. on motion made by Councilwoman McCartney and seconded by Councilwoman Matute-Brown, the Public meeting was adjourned and the Council entered into Executive Session.

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.
Municipal Clerk


Michelle Casalino, Council President

Adopted: April 14, 2020