

Conference Meeting – September 22, 2020

The West Orange Township Council met virtually due to the Covid 19 pandemic beginning 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

The Township Clerk Karen Carnevale gave a presentation of the changes to the election process for this year's General Election.

The Council gave their liaison announcements.

Public Meeting – September 22, 2020

The West Orange Township Council met virtually beginning at 7:08 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

Joe Fagan – Public Information Officer – Township of West Orange

Sally Malanga – 57 Ridge Road

H William Rutherford III – 8 Hunt Place

Sahib Bennett – 35 Old Indian Road

Dave Cubie – Library Director – W.O. Public Library

Brent Scott – 75 Nestro Road

Joyce Rudin – 38 Woodland Avenue

Kevin Malanga – 57 Ridge Road

Gary VanWyk – 71 Burnet Terrace

Anthony Puglisi- Essex County Public Information Officer

Rosary Morelli – Ralph Road

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 September 8, 2020

***Report of Township Officers – None**

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

***Bills**

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

- a. **176-20** Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey (Gagliardo)

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

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

- b. **178-20** A Resolution Authorizing the Planning Board to Undertake a Preliminary Investigation to Determine Whether Block 155, Lots 40.02, 41.02, and 42.02 Qualifies for Designation as a Non-Condemnation Area in Need of Redevelopment Pursuant to N.J.S.A. 40A:12A-1 et. seq. (Legal-Trenk)

On motion made by Council President Casalino and seconded by Councilman 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. **179-20** Resolution Authorizing the Retention of Planning Consultant to Prepare an Area in Need of Redevelopment Investigation of Block 155, Lots 40.02 (100 Executive Drive), 41.02 (10 Rooney Circle), and 42.02 (200 Executive Drive) in an Amount NTE \$30,000. (Legal-Trenk)

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

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

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

- d. **173-20** Resolution of the Township of West Orange, In the County of Essex New Jersey, Determining the Form and Other Details of its “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank,” to be Issued in the Principal Amount of Up to \$3,170,000, and Providing for the Issuance and Sale of Such Note to the New Jersey Infrastructure Bank, and Authorizing the Execution and Delivery of Such Note by the Township in Favor of the New Jersey Infrastructure Bank, All Pursuant to the New Jersey Infrastructure Bank Water Bank Construction Financing Program (Erin K. Law)
- e. **174-20** Resolution Authorizing the Township of West Orange to Accept a Grant in the Amount of \$63,956 from the HDSRF Program to Fund the Preliminary Assessment and Site Investigation for the Property 8-10 Central Avenue, Block 9, Lot 32 on the Township Tax Map that was included in the Redevelopment Area (Legal-Moon)

- f. **175-20** Resolution Authorizing an Executive Session to Discuss a Matter of Litigation Specifically Kevin Malanga v. Township of West Orange, Township of West Orange Planning Board, and Township of West Orange Township Council
- g. **177-20** Resolution Regarding Revision to Tax Appeal Settlement Regarding Block 78.02, Lot 2 -125 Northfield Avenue and Block 78.02, Lot 1- 21Hutton Avenue (Legal-Trenk)
- h. **180-20** Resolution Amending Resolution 156-20, Authorizing the Award of a Professional Service Contract to Dr. David E. Jones for Employee Training Workshops (Gross)
- i. **181-20** Resolution Authorizing the Cost of Mailing for Electronic Tax Sale (Gagliardo)
- j. **182-20** Resolution Authorizing the Tax Collector to Participate in an Electronic Tax Sale (Gagliardo)

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

All members voting “Aye.”

At this time, the Council entered into an Executive Session which was approved on Consent Agenda.

At 10:08 p.m. on motion made by Councilman Guarino and seconded by Councilwoman McCartney, the Council ended their executive session and continued their public meeting.

All members voting “Aye.”

Ordinances on Second and Final Reading

Ordinance 2615-20

On motion made by Council President Casalino and seconded by Councilman Guarino, **An Ordinance Amending and Supplementing Chapter 2, Section 59 of the General Ordinances of the Township of West Orange, entitled “Board of the Oskar Schindler Performing Arts Center”** 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 public comment was closed.

On motion made by Councilman Guarino and seconded by Councilwoman Matute-Brown the above referenced ordinance was approved.

All members voting “Aye.”

Ordinance 2616-20

On motion made by Council President Casalino and seconded by Councilman Guarino **An Ordinance Amending Chapter 25, Section 27.4 of the Revised General Ordinances of the Township of West Orange (Tree Protection and Removal-Permit Required; Prohibitions and Exemptions)** was postponed, to be heard on second and final reading on October 20, 2020.

All members voting “Aye.”

Ordinance 2617-20

On motion made by Council President Casalino and seconded by Councilman Guarino, **An Ordinance Amending and Supplementing Chapter XXV Land Use Regulations of the Revised General Ordinances of the Township of West Orange to Implement Recommendations of the Master Plan Re-Examination** 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 public comment was closed.

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

All members voting “Aye.”

Ordinance 2618-20

On motion made by Councilman Guarino and seconded by Council President Casalino, **An Ordinance Amending and Supplementing Chapter 7, Traffic Subsection 7-32.2, Restricted Parking of the Revised General Ordinances of the Township of West Orange-179 High Street** 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 public comment was closed.

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

All members voting “Aye.”

Ordinances on First Reading – None

Pending Matters/New Matters/Council Discussion

The following items were discussed:

Resuming in person Council meetings, placing Medical Marijuana dispensaries back on an upcoming agenda and asking Mark Moon, Esq. to attend an upcoming Council meeting, listing Rock Spring Golf Club on a future agenda for discussion, a situation regarding the parking of a commercial vehicle which was resolved.

ABC Hearing

On motion made by Councilman Guarino and seconded by Councilwoman Matute-Brown, the Township Council entered into an ABC Hearing.

All members voting “Aye.”

Resolution 649-20

Hearing on Renewal for **Plenary Retail Consumption, Distribution and Club Licenses** for the 2020-2021 License Term (Clerk)

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

All members voting “Aye.”

Resolution 650-20

Hearing on Renewal for 2020-2021 License Term – **1920’s Road House, Inc.** 0722-33-071-003 (Special Conditions)

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

All members voting “Aye.”

Resolution 651-20

651-20 Hearing on Renewal for 2020-2021 License Term – **Las Palmeras, Inc.** 0722-33-045-005 (Special Conditions)

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

All members voting “Aye.”

Resolution 652-20

652-20 Hearing on Renewal for 2020-2021 License Term-**Club 466 0722-33-035-011** (Special Conditions)

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

All members voting “Aye.”

Resolution 653-20

653-20 Hearing on Renewal for 2020-2021 License Term-**Huguitos Restaurant and Bar, LLC** 0722-33-024-005 (Special Conditions)

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

All members voting “Aye.”

On motion made by Councilman Guarino and seconded by Councilwoman Matute-Brown, the ABC Hearing was adjourned and the Public meeting continued.

All members voting “Aye.”

At 11:19 p.m., on motion made by Councilman Guarino and seconded by Councilwoman Matute-Brown, the Council Meeting was adjourned.

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: October 6, 2020