

## Public Meeting - February 21, 2012

The Township Council of the Township of West Orange met in the Edison Middle School, 75 William 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 December 7, 2011.

### **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 7 (Report) and Item 8 (Bills) and Item 11 (Certain Resolutions).

On motion made by Councilman Cirilo and seconded by Councilwoman McCartney, the Consent Agenda was implemented.

All members voting "Aye."

### **Public Comment**

The Council President stated that this is the scheduled time for the public hearing and asked if there was anyone who wished to be heard.

E. Michael Taylor, Watchung Avenue, West Orange

Anthony Pugliese, Essex County Public Information Officer

Rodolfo Rodriguez, 22 Ashwood Terrace, West Orange

Mike Scharfstein, 27 Lincoln Avenue, West Orange

Herbert I. Waldman, 18 Connel Drive, West Orange

Richard Neibart, Crown View Manor, West Orange

Paula Dickson-Taylor, Watchung Avenue, West Orange

John Schmidt, 27 Glen, Llewellyn Park, West Orange

William Sullivan, Oak Ridge Road, West Orange

Kevin Malanga, Ridge Road, West Orange

Clare Krakoviak Silvestri, 20 Grandview Avenue, West Orange

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

### **Report**

The Municipal Judge's Report for the Month of January, 2012 was received and placed on file.

### **Bills**

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

### **Resolutions**

The following resolutions were adopted:

#### **Resolution #19-12**

Resolution Appointing Robert Dsurney, Fire Captain as Municipal Fire Official for a Three Year Term Expiring on February 28, 2015

#### **Resolution #21-12**

Resolution Authorizing the Payment of \$294.00 to be paid to the American Society of Composers, Authors and Publishers (ASCAP) for a Yearly Base Licensing Fee That Enables the Township to Use Copyrighted Music at Township Events

**Resolution #22-12 - Removed prior to the meeting.**

#### **Resolution #24-12**

Resolution Authorizing Issuance of Raffle Licenses

#### **Resolution #25-12**

Resolution Authorizing Snow Plowing and Hauling Services for 2012 in the Event of Severe Weather Conditions to Yannuzzi & Sons, Inc., Hillsborough, NJ, Flores Trucking, LLC, West Orange, NJ and Stanziale Construction, LLC, Bloomfield, NJ

#### **Resolution #26-12**

Resolution Authorizing the Extension of the Janitorial Services Contract with Excellent Building Services Corp., 70 South Jefferson Street, Orange, NJ for

Contract Year 2012 in the Amount of \$57,540.00

**Resolution #27-12**

Resolution for Professional Services Through a Fair and Open Process for the Period of March 1, 2012 through February 28, 2013

**Resolution #28-12**

Resolution Authorizing a Subordination of Mortgage in Favor of Wells Fargo Bank, N.A. with Regard to the Property at 47 Ridgeview Avenue, West Orange, NJ

**Resolution #29-12**

Resolution Naming Joseph Fagan Official Historian of the Township of West Orange

**Resolution #31-12**

Resolution Authorizing Change Order No. 2 (NJDOT from DC-173A) in the amount of \$74,455.90 with Conquest Industries, Inc., 32 Woodland Avenue, Westwood, New Jersey 07675 for the Downtown West Orange Streetscape and Transportation Improvement Program bring the total amount authorized for this project to \$1,744,152.15

**It is noted that the above resolution was withdrawn from the agenda.**

**Ordinances on Second and Final Reading**

**Ordinance #2346-12**

On motion made by Councilman Cirilo and seconded by Councilwoman McCartney, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-23.1, TURN PROHIBITIONS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE - 464 EAGLE ROCK AVENUE AT THE EASTERLY DRIVEWAY, BLOCK 153.14, LOT 33, 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 Councilwoman McCartney, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

All members voting "Aye",

**Ordinance #2347-12**

On motion made by Councilman Krakoviak and seconded by Councilman Anderton, AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ESTABLISHING FEES AND RATES AT GINNY DUENKEL POOL FOR THE 2012 SEASON, 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 Anderton and seconded by Councilman Krakoviak, AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ESTABLISHING FEES AND RATES AT GINNY DUENKEL POOL FOR THE 2012 SEASON, was passed on second and final reading and ordered advertised according to law.

All members voting "Aye".

**Ordinance #2348-12**

On motion made by Councilman Krakoviak and seconded by Council President Spango, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II, SECTION 2-14.2 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ENTITLED "POLICE DEPARTMENT", "DEPARTMENT GENERALLY", 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 Councilwoman McCartney 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 #2349-12**

On motion made by Councilman Krakoviak and seconded by Councilwoman McCartney, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III, SECTION 3-5, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ENTITLED “RULES OF COUNCIL”, “AGENDA”, 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”.

#### **Ordinances on First Reading**

##### **Ordinance #2350-12**

On motion made by Councilman Cirilo and seconded by Councilwoman McCartney, AN ORDINANCE OF THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR CERTAIN IMPROVEMENTS WITHIN THE DOWNTOWN REDEVELOPMENT AREA, APPROPRIATING \$6,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$6,300,000 GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF AND DIRECTING SPECIAL ASSESSMENT OF A PART OF THE COST THEREOF, was taken up on first reading by title only.

All members voting “Aye”.

The Clerk read the ordinance by title only.

The following individuals spoke regarding the above ordinance:

Mark Meyerowitz, 19 Howell Drive, West Orange

Earl Turner, Mt. Pleasant Avenue, West Orange

Sergeant Chris Jacksic, P.B.A. President, West Orange Police Department

Gerald Sweeney, Llewellyn Park, West Orange

Maritza Brown, Linden Court, West Orange

Elaine Harris, 239 Crescenzi Court, West Orange

Donna Uher, 14 Edgehill Road, West Orange

John Madden, 18 Kingwood Road, West Orange

Adam Samuels, 27 Old Salem Road, West Orange

Richard Groves, 41 Yale Terrace, West Orange

Stan Saul, 47 Carteret Street, West Orange

Raymond Kienzle, 2 Glennon Place, West Orange

Steven Mitnock, 10 McKinley Avenue, West Orange

Brian Goldberg, Pleasant Valley Way, West Orange

Michael Cassidy, West Orange P.B.A.

John McElroy, Chairperson, West Orange Downtown Alliance

Denise Esposito, Executive Director, West Orange Downtown Alliance

Jared Thompson, Merklin Avenue, West Orange

Kevin Anderson, 18 Park Terrace, West Orange

Pnina Massoth, 5 Ronald Terrace, West Orange

Following discussion and on motion made by Councilman Krakoviak and seconded by Councilman Cirilo, the above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on March 20, 2012.

All members voting "Aye".

**Ordinance #2351-12**

On motion made by Councilwoman McCartney and seconded by Councilman Anderton, AN ORDINANCE AUTHORIZING THE MAYOR AND TOWNSHIP COUNCIL OF WEST ORANGE, IN THE COUNTY OF ESSEX, NEW JERSEY TO ENTER INTO A FINANCIAL AGREEMENT FOR CERTAIN PROPERTY WITHIN THE DOWNTOWN REDEVELOPMENT AREA, was taken up on first reading by title only.

All members voting "Aye".

The Clerk read the ordinance by title only.

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 March 20, 2012.

All members voting "Aye".

**Resolution #20-12**

Resolution Authorizing a Professional Services Contract with the PMK Group/Birdsall Services Group of 611 Industrial Way, West Eatontown, New Jersey to continue providing environmental services associate with remediating a leaking underground storage tank at 25 Lakeside Avenue in the amount not to Exceed \$38,500

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

All members voting "Aye".

**Resolution #23-12**

Resolution Authorizing Execution of Contract of Sale and Addendum for Acquisition of Certain Property Known as 7 Belgrade Terrace, Lot 18, Block 55.04

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 #30-12**

Resolution of the Township of West Orange Approving Updated Application by GP 177 Main Urban Renewal, LLC Submitted in Accordance with NJSA 40A:20-8 in Connection with the Downtown Redevelopment Project

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

**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 11:30 P.M.

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PATRICIA SPANGO, COUNCIL PRESIDENT    KAREN J. CARNEVALE,  
MUNICIPAL CLERK

Adopted: March 20, 2012