

## **Public Meeting- March 20, 2012**

The Township Council of the Township of West Orange met in the Edison Junior High School Auditorium, 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 5 (Minutes), Item 7 (Reports), Item 8 (Bills), and Item 11 (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 stated that this is the scheduled time for the public hearing and asked if there was anyone who wished to be heard.

Mark Thompson, 23 Swaine Place, West Orange

Anthony Minervino, 16 Swaine Place, West Orange

Michael Scharfstein, 27 Lincoln Avenue, West Orange

Rodolfo Rodriguez, 22 Ashwood Terrace, West Orange

Carolyn Cole, 250 Eagle Rock Avenue, West Orange

Lance Alden, Esq. of Mandlebaum, Salsburg, P.C.

Christine Bosco, 4 Masson Place, West Orange

Mark Meyerowitz, 19 Howel I Drive, West Orange

Earl Turner, Mt. Pleasant Avenue, West Orange

Rosary Morelli, Ralph Road, West Orange

Philip Altenberg, Hillside Avenue, West Orange

Sheila Lefkowitz, Pleasant Valley Way, West Orange

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

### **Resolutions**

The following resolutions were adopted:

**Resolution #37-12**

Resolution Authorizing Multiple Providers of Deferred Compensation Services for Municipal Employees

**Resolution #41-12**

Resolution Authorizing the Reappointment of Township Clerk Karen J. Carnevale

**Resolution #42-12**

Resolution Authorizing Raffle Licenses and Silent Auctions

**Resolution #43-12**

Resolution Authorizing the Reimbursement of the 2011 Street and Road Lighting Costs to Eligible Private Communities in the Amount of \$91,675.08

**Resolution #44-12**

Resolution Authorizing the Reimbursement of the 2011 Snow Removal Costs to Eligible Private Communities in the Amount of \$125,870.59

**Resolution #47-12**

Resolution Authorizing a Discharge of Mortgage for 81 Lindsley Avenue, Block 72, Lot 49

**Resolution #48-12**

Resolution Authorizing an Award of Contract to Granada Construction Corp., 147 Thomas Street, Newark, NJ 07114 for the 2011 Road Improvements Phase I - Various Streets in the Amount of \$377,745.00  
Subject to Approval of the Contractor by the Essex County Division of Housing and Community Development

**Resolution #50-12**

Resolution Authorizing the Issuance of a Duplicate Tax Sale Certificate Pursuant to N.J.S.A. 54:6-52.1 - Havid Development at 41 Watchung Plaza Suite 520, Montclair, NJ 07042 - Block 152.15, Lot 6, 9 Ronald Terrace, West Orange, NJ

**Resolution #51-12**

Resolution Authorizing the Issuance of a Duplicate Tax Sale Certificate Pursuant to N.J.S.A. 54:6-52.1- Havid Development at 41 Watchung Plaza Suite 520, Montclair, NJ 07042- Block 110, Lot 2, 821 Smith Manor Boulevard, West Orange, NJ

**Resolution #52-12**

Resolution Authorizing the Collector of Taxes to Refund Duplicate Payment of First Quarter 2012 Taxes to Listed Taxpayers

**Resolution #53-12**

Resolution Authorizing the Collector of Taxes to Rebate Payment to the Listed Taxpayer Pursuant to Final

Judgment by the Tax Court of New Jersey

**Resolution #54-12**

Resolution to Award the 2012 Contract for Food & Beverage Concession at Ginny Duenkel Pool to Mazzi Dogz & Café, 555 Valley Road, West Orange, NJ 07052 in the Amount of \$10,552.52

**Resolution #55-12**

Resolution to Authorize Window Contract to Odyssey Emergency Vehicles, 317 Richard Mine Road, Wharton, NJ 07885 in the Amount of \$25,315.00 for conversion of 2012 Chevy Tahoe for Fire Department

**Resolution #56-12**

Resolution -Amend 2012 Temporary Budget

**Resolution #57-12**

Resolution Authorizing Appropriation Transfer for the CY 2011 Budget

**Resolution #58-12**

Authorization to Calculate the Township's Tax Collection Rate by Taking Into Account 2011 Tax Appeals and Provide Property Tax Payers the Tax Relief Benefit Offered by N.J.S.A. 40A:4-41(C)(2)

**Ordinances on Second and Final Reading**

**Ordinance #2351-12**

On motion made by Councilman Anderton and seconded by Councilman Cirilo, AN ORDINANCE AUTHORIZING THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP 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 second and final reading.

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

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.

Jennifer Credidio of McManimon & Scotland gave an overview of the above mentioned ordinance and responded to questions from Council.

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

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

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

**Ordinance #2352-12**

On motion made by Councilman Cirilo and seconded by Councilman Anderton, AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE CHAPTER 14, HOUSING, SECTION 8.1, MAINTENANCE OF EXTERIOR PREMISES, AND SECTION 8.2 APPEARANCE OF EXTERIOR PREMISES, 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.

On motion made by Councilman Cirilo and seconded by Councilman Anderton, AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, CHAPTER 14, HOUSING, SECTION 8.1, MAINTENANCE OF EXTERIOR PREMISES, AND SECTION 8.2, APPEARANCE OF EXTERIOR OF PREMISES, 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.

On motion made by Councilman Cirilo 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 #2353-12**

On motion made by Councilman Anderton and seconded by Councilman Cirilo, AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE CHAPTER 20, STREETS AND SIDEWALKS, SECTION 7.1(A), DUTIES OF OWNER, OCCUPANT OR TENANT, was taken up on second and final reading.

**All members voting "Aye".**

The Council President stated that this is the schedule 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 none 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 #2354-12**

On motion made by Councilwoman McCartney and seconded by Councilman Cirilo, AN ORDINANCE OF THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, NEW JERSEY, PROVIDING FOR CERTAIN IMPROVEMENTS WITHING 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 second and final reading.

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

The Council President stated that this was 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.

Stephen Rathe, 18 Undercliff Terrace, West Orange spoke in favor of the above ordinance.

Herbert I. Waldman, 18 Connel Drive, West Orange commented on the above ordinance.

John Schmidt, 27 Glen, Llewellyn Park, West Orange stated his opposition to the above ordinance.

William Sullivan, Esq., 13 Oak Ridge Road, West Orange spoke in favor of the above ordinance.

Joseph Sorbino, 18 Sheridan Avenue, West Orange stated his opposition to the above ordinance.

Richard Stoltz, owner of the Supreme Bakery spoke in favor of the above ordinance.

Sally Malanga, Ridge Road, West Orange stated her opposition to the above ordinance.

Cynthia Cummings, 58 Valley Way, West Orange spoke in favor of the above ordinance.

Mark Meyerowitz, 19 Howell Drive, West Orange stated his opposition to the above ordinance.

Gerald Sweeney, 24 Oak Bend, West Orange spoke in favor of the above ordinance.

Kevin Malanga, Ridge Road, West Orange stated his opposition to the above ordinance.

Windale Simpson, Hillside Avenue, West Orange stated his opposition to the above ordinance.

Phil Pernelio, Summit Street, West Orange spoke in favor of the above ordinance.

Althia Tweiten, 15 Edgar Road, West Orange stated her opposition to the above ordinance.

Dell Saul, 11 Westminster Terrace, West Orange stated her opposition to the above ordinance.

Barry Geltzeiler, 118 Old Indian Road, West Orange spoke in support of the above ordinance.

Rodolfo Rodriguez, 22 Ashwood Terrace, West Orange stated his opposition to the above ordinance.

Mike Scharfstein, 27 Lincoln Avenue, West Orange stated his opposition to the above ordinance.

Earl Turner, Mt. Pleasant Avenue, West Orange stated his opposition to the above ordinance.

Mark Paulson, 70 Valley Way, West Orange spoke in favor of the above ordinance.

Jake Frievald, 10 Ridgeview Avenue, stated his opposition to the above ordinance.

Brian Goldberg, Pleasant Valley Way, West Orange stated his opposition to the above ordinance.

Claire Silvestri, 20 Grandview Avenue, West Orange stated her opposition to the above ordinance.

Caroline Cole, Eagle Rock Avenue, West Orange commented on the above ordinance.

Richard Koehler, 136 Main Street, West Orange stated his opposition to the above ordinance.

Harvey Grossman, 4 Reid Street, West Orange spoke in favor of the above ordinance.

Jerome Scharfman, 43 Ferris Drive, West Orange stated his opposition to the above ordinance.

Jim Quinn, Araneo Drive, West Orange commented on the above ordinance.

**Joanne O’Dea, 2 Rosemont Court spoke in favor of the above ordinance.**

Lee Saul, 47 Carteret Street, West Orange commented on the above ordinance.

John McElroy, 52 Washington Street, West Orange spoke in favor of the above ordinance.

Rosary Morelli, 22 Ralph Road, West Orange stated her opposition to the above ordinance.

Stephen Kaplitt, 74 Terrace Avenue, West Orange stated his opposition to the above ordinance.

Jim Quinn, 290 Araneo Drive, West Orange spoke in support of the above ordinance.

Deputy Director Borg, Department of Planning, commented on the above ordinance.

George Testa, 16 Virginia Avenue, West Orange stated his opposition to the above ordinance.

Michael Hanley of NW Financial commented on the above ordinance.

Jennifer Credidio, McManimon & Scotland LLC, commented on the above ordinance.

Eugene Diaz, Prism Green Associates IV, LLC commented on the above ordinance.

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

On motion made by Councilwoman McCartney and seconded by Councilman Cirilo, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

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

### **Ordinances on First Reading**

#### **Ordinance #2355-12**

On motion made by Councilman Krakoviak and seconded by Councilwoman McCartney, CALENDAR YEAR 2012 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14), was taken up on first reading by title only.

All members voting “Aye”.

The Clerk read the ordinance by title only.

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 April 3, 2012.

All members voting "Aye".

**Resolution #45-12**

Resolution to Increase the Cap on Behalf of Fox Rothschild, LLP, Special Labor Counsel for 2011

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 #46-12**

Resolution to Introduce the 2012 Local Municipal Budget

On motion made by Councilman Cirilo and seconded by Councilman Krakoviak, the above mentioned resolution was adopted.

Mayor Robert Parisi responded to questions regarding the 2012 Local Municipal Budget

All members voting "Aye".

**Resolution #49-12**

Resolution to Award a Contract for Professional Engineering Services to Jenne Associates, LLC, 1362 Crim Road, Bridgewater, NJ to Provide Engineering Design Services for Ridge Roadway & Utility Improvements in an Amount NTE \$12,100.00

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

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

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 12:25 a.m.

All members voting "Aye".

---

PATRICIA SPANGO, COUNCIL PRESIDENT  
CLERK

---

KAREN J. CARNEVALE, MUNICIPAL  
CLERK

Adopted: April 24, 2012