

Public Meeting - June 26, 2012

The Township Council of the Township of West Orange met in the Council Chambers, 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 December 7, 2011.

Roll Call:

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

Absent: None

The Township Council identified and presented for unanimous consent, Item 5 (Minutes), Item 6 (Communication) and Item 8 (Bills).

On motion made by Councilman Anderton and seconded by Council President Spango, 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.

Pierre Sapinault, exchange student coordinator from France

Gerry Guerland, Araneo Drive, West Orange and a member of the Historic Preservation Commission

Christine Bosco, 4 Masson Place, West Orange

John Schmidt, 27 Glen, West Orange

Anthony Pugliese, Public Information Officer, Essex County

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

Minutes

The Public Minutes of May 15, 2012 and May 29, 2012 were approved as submitted.

Communication

Correspondence from Deputy Planning Director Susan Borg to the Township Council with **Regard to Planning Board Resolution #12-01 - Introduction of Amendments to the Land Development Ordinance** was received and placed on file.

Bills

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

Resolutions

The following Resolutions were adopted:

Resolution #123-12

Resolution Authorizing Duplicate Payment for the Second Quarter 2012 Taxes

Resolution #124-12

Resolution Authorizing Raffle Licenses

Resolution #125-12

Resolution Authorizing a Contract for Licensed Motor Vehicle Drivers for Midtown Direct Shuttle Bus Program to Mobility Coach, 413 Melrose Way, Monroe Township, NJ 08831 at a Monthly Rate of \$10,950.00 for a 24 Month Period Beginning July 1, 2012 and Ending June 30, 2014

Resolution #126-12

Resolution Authorizing a Contract for 2012 Llewellyn Park Roadway and Sewer Improvements to Sanitary Construction Company, 415 Franklin Avenue, Rockaway, NJ 07866 in the Amount of \$3,483,873.00

Resolution #127-12

Resolution Authorizing the Renewal of a License Agreement with NJ Transit for a Period of Five **Years Commencing on August 1, 2012 for Use of a Portion of Block 142, Lot 32 - Mississippi Avenue** at an Initial Annual Rate of \$2,121.75 and to Increase at 2.5 Percent Each Year

Resolution #129-12

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 #132-12

Resolution Authorizing the Township of West Orange Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, c.72

Resolution #134-12

Resolution Authorizing Reimbursement for Municipal Services to Llewellyn Park - Removal of Obstructions and Leaf Collection

Resolution #135-12

Resolution Authorizing a Professional Services Contract with Jenne Associates, LLC, 1362 Crim Rd., Bridgewater, NJ 08807 to Provide Construction Phase Services for the Project 2012 Llewellyn Park Roadway & Sewer Improvements for a Fee NTE \$270,000

Ordinances on Second and Final Reading

Ordinance #2357-12

On motion made by Councilwoman McCartney and seconded by Councilman Cirilo, AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XXV “LAND USE REGULATIONS”, CHAPTER XXI, “Trees” and Chapter XXXII, “Land Subdivision” of the Revised General Ordinances of the Township of West Orange in Order to Implement Land Use Recommendations as Set Forth in the Re-Examination of the Township’s Master Plan, 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.

Mayor Robert Parisi commented on the above ordinance.

Paul Grygiel, Professional Planner of Phillips, Preiss, Grygiel, LLC commented on the above ordinance.

Jerry Guerland, Member of the Historic Preservation Commission commented on the above ordinance.

Rosary Morelli, 22 Ralph Road, West Orange commented on the above ordinance.

Christine Bosco, Masson Place, West Orange commented on the above ordinance.

William Sullivan, Oakridge Road, West Orange commented on the above ordinance.

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

Following a lengthy 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 - None

Resolution #128-12

Resolution Authorizing an Executive Session - Litigation Matters (Personnel)

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

All members voting "Aye" to amend.

Resolution #130-12

Resolution Removing CAP for Legal Fees for McManimon and Scotland as Special Counsel

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

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

Resolution #131-12

Resolution Removing CAP for Legal Fees for Fox Rothschild as Labor Counsel

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

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

Resolution #133-12

Resolution Authorizing Funding for Emergency Repairs-Jewish Federation Plaza, 750 Northfield Avenue, West Orange, NJ 07052 Utilizing Funds in the Township's Affordable Housing Trust Account for a Sum NTE \$199,600

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 #136-12

Resolution Removing Cap for Legal Fees for Scarinci Hollenbeck, Lyndhurst, NJ as Labor Counsel

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

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

*It is noted that John O. Gross, Chief Financial Officer, commented on Resolutions 130-12, 131-12 and 136-12.

On motion made by Councilman Cirilo and seconded by Councilwoman McCartney, the Council went into Executive Session to discuss Litigation Matters and a Matter of Personnel.

All members voting “Aye”.

The public meeting continued at this time.

ABC HEARING

On motion made by Councilman Krakoviak and seconded by Councilwoman McCartney, the Council adjourned and reconvened as the Alcoholic Beverage Control Board.

482-12

Hearing and Resolution on Renewal for 2012-2013 License Term - **DJF - 4SIXTY6** (Special Conditions)

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

All members voting “Aye”.

483-12

Hearing and Resolution on Renewal for 2012-2013 License Term, **SUZY QUE’S LLC**, t/a Suzy Que’s (Special Conditions)

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

All members voting “Aye”.

484-12

Hearing and Resolution on Applications for Renewal of Plenary Retail Consumption, Distribution and Club Licenses for the 2012-2013 License Term

Following discussion and on motion made by Councilman Krakoviak and seconded by

Councilwoman McCartney, the above mentioned resolution was adopted.

All members voting "Aye".

485-12

Hearing and Resolution Referring ABC Conflict License to the ABC Director for Renewal for 2012-2013 License Term - **Starlite Pizzeria**

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

Councilman Anderton, Councilman Cirilo, Councilwoman McCartney, and Councilman Krakoviak voting "Aye". Council President Spango recused herself from the above.

486-12

Hearing and Resolution Authorizing a Person to Person Transfer from AMC Entertainment International Inc. to AMC Theatres of New Jersey, Inc.

Appropriate fees were paid and affidavit of publication provided.

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

All members voting "Aye".

487-12

Hearing and Resolution on License Renewal for 2012-2013 License Term for Harrison Avenue Tavern, Perhaps with Special Conditions Subject to Notice of Tax Clearance

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

All members voting "Aye".

488-12

Hearing and Resolution authorizing a Person to Person Transfer from Cecil's Inc. to Las Palmeras, Inc., 364 Valley Road, West Orange, New Jersey

Appropriate fees were paid and affidavits of publication provided.

Following discussion and on motion made by Councilwoman McCartney and seconded by Councilman Krakoviak, 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 Councilwoman McCartney, the meeting was adjourned at 10:45 p.m.

KAREN J. CARNEVALE, MUNICIPAL CLERK
PRESIDENT

PATRICIA SPANGO, COUNCIL

Adopted: June 26, 2012