

Public Meeting – FEBRUARY 8, 2011

The Township Council of the Township of West Orange met in the Municipal Building, 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 November 19, 2010.

Roll Call:

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

Absent: None

The Township identified and presented for unanimous consent, Item 5 (Minutes), Item 8(Bills) and Item 11 (Certain Resolutions).

These items are considered to be routine in nature by the Council and will be enacted by one motion. There will be no separate discussion of these items. If any discussion is desired by the Council, or the public, that particular item will be removed from the Consent Agenda and will be considered separately.

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

All members voting "Aye".

Public Comment

The Council President asked if there was anyone who wished to make a statement at this time.

Anthony Pugliesi, Public Information Officer for Essex County commented of the holiday light display and the winter coat drive.

Chris Jacksic, West Orange PBA President, commented on the proposed police layoffs.

Michael Cassidy, Vice President PBA, Local 25 also commented on the proposed police layoffs.

Ed DeRosa, Manger Road, West Orange stated that he is opposed to layoffs of police and fireman.

Rosary Morelli, 22 Ralph Road, West Orange inquired if there is a nepotism policy in the township and also commented on moving municipal elections from May to November.

Lawrence Alvilez, 699 Prospect Avenue, West Orange commented on the Seton Hall Prep Appeal matter and stated he is withdrawing the appeal.

Ronnie Strell, 654 Prospect Avenue, West Orange, stated that she is withdrawing the Seton Hall Prep Appeal.

Barry Schusterman, 21 Benvenue Avenue, West Orange stated that he is withdrawing the Seton Hall Prep Appeal.

Rhea Segal, 662 Prospect Avenue, West Orange stated that the Seton Hall Prep Appeal is being withdrawn.

Elaine Lamer, West Orange, commented on the Seton Hall Prep Appeal.

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

Minutes

The Public Minutes and Executive Session Minutes of January 4 and January 18 were approved as submitted.

Bills

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

Resolutions

The following resolutions were adopted:

Resolution #17-11

Resolution Authorizing Entry and Execution of the Municipal Joint Defense Group Agreement & Designation of Municipal Liason Counsel in the Action Entitled NJ DEP v. Occidental Chemical Corporation, et al.

Resolution #18-11

Resolution Authorizing the Award of a Non-Fair and Open Contract for TRC Environmental Corporation ("TRC"), 57 East Willow Street, Millburn, New Jersey 07041 to Provide Environmental Consulting Services for 22-24 Central Avenue, West Orange, New Jersey in an Amount NTE \$40,910

Resolution #19-11

Resolution Authorizing Issuance of Raffle Licenses

Resolution #20-11

Resolution Rejecting Bid Proposal from Ocean Clean, Cedar Grove, NJ and Awarding a Contract to Excellent Building Services, Corp., Orange, NJ in the Amount of \$57,540 for Janitorial Services at Several Municipal Buildings

Resolution #21-11

Resolution Authorizing an Agreement with Goose Control Technology for a Term of One Year at a Rate NTE \$3,000

Resolution #22-11

Resolution Authorizing the Engagement of Frank Arleo, Esq. of Arleo Donahue & Biancamano, West Orange, NJ to Represent the Interests of Township Employees John K. Sayers and James P. Abbott with Regard to Probable Cause Hearing and Related Matters in the Amount of \$150 Per Hour NTE \$5,000

Resolution #23-11

Resolution Authorizing Deeds of Easement and Easement Agreements with One (1) Property Owner(s) at 230-232 Eagle Rock Avenue, Block 112.02, Lot 5.01

Resolution #24-11

Resolution Authorizing a Contract with All State Technology Inc., 10 Lark Lane, Oak Ridge, NJ 07438, in the Amount of \$112,000 for the Restoration of the Ginny Duenkel Municipal Pool Surfaces

Resolution #25-11

Resolution Authorizing Reimbursement of the Costs of Private Garbage Collection for Private Home Owner Associations or Individuals for the Period of January 1, 2010 – December 31, 2010.

Ordinances on Second and Final Reading

Ordinance #2303-11

On motion made by Councilman Cirilo and seconded by Councilwoman McCartney, An Ordinance Amending and Supplementing Chapter 2, "Administration", Article IX, "Administrative Policies and Procedures", by Adding a New Section 2-82 Entitled, "Citizen Service", to Provide for Open Applications and a Public Directory of Township Council Appointed Municipal Positions, 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 Clerk read the ordinance by title only.

The Council President asked if there was anyone who wished to be heard.

Brian Goldberg, Pleasant Valley Way, West Orange 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 Councilman Cirilo and seconded by Councilwoman Spango, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

All members voting "Aye".

Ordinance #2305-11

On motion made by Councilwoman Spango and seconded by Councilwoman McCartney, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 SECTION 10.1 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED "DIRECTOR OF PUBLIC WORKS; DUTIES OF DEPARTMENT", 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.

Brian Goldberg, Pleasant Valley Way, West Orange commented on the above ordinance.

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

Earl Turner, Mt. Pleasant Avenue, West Orange 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 Spango and seconded by Councilman Cirilo, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

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

Ordinance #2306-11

On motion made by Councilwoman Spango and seconded by Councilwoman McCartney, An Ordinance Amending an Ordinance Creating a Reclassification and Salary Schedule of Certain Township of West Orange Municipal Employees Setting Forth Their Titles, Classification and Salary Ranges and Adopting a

Salary Guide and Establishing the Employee's Status as a Township Employee and Under the Guidelines of the New Jersey Department of Personnel, was taken up on second and final reading.

All members voting "Aye".

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 Clerk 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 Cirilo and seconded by Councilwoman Spango, the above mentioned ordinance was tabled to a later time in the council meeting.

All members voting "Aye" to table.

Ordinance #2307-11

On motion made by Councilman Cirilo and seconded by Councilwoman Spango, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 SECTION 17.1 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED "DEPARTMENT GENERALLY" – DEPUTY DEPARTMENT HEAD OF RECREATION, 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.

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

Brian Goldberg, Pleasant Valley Way, West Orange 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 Councilman Cirilo and seconded by Councilwoman Spango, the above mentioned ordinance was passed on second and final reading and ordered advertised to law.

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

Ordinance #2308-11

On motion made by Councilwoman Spango and seconded by Councilwoman McCartney, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 SECTION 11.1 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED”DEPARTMENT GENERALLY” – DEPUTY MUNICIPAL DEPARTMENT HEAD OF PLANNING/DEVELOPMENT, 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.

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

Earl Turner, Mt. Pleasant Avenue, West Orange 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 Spango and seconded Councilwoman McCartney, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

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

Ordinances on First Reading

Ordinance #2309-11 – Removed

Ordinance #2310-11

On motion made by Councilwoman McCartney and seconded by Councilman Anderton, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 23 SECTION 1.1 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ENTITLED “POOL FEES AND RATES”, 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 Cirilo and seconded by Councilwoman Spango, the above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on February 22, 2011.

All members voting “Aye”.

Ordinance #2311-11

On motion made by Councilwoman Spango and seconded by Councilwoman McCartney, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 25 SECTION 51.1 AND 51.2 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ENTITLED "APPLICATIONS PROCEDURES AND ADMINISTRATIVE REQUIREMENTS", 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 Councilwoman Spango 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 February 22, 2011.

All members voting "Aye".

Ordinance #2312-11

On motion made by Councilwoman McCartney and seconded by Councilwoman Spango, ORDINANCE OF THE TOWNSHIP OF WEST ORANGE, IN THE COUNTY OF ESSEX, MAKING CERTAIN AMENDMENTS TO THE HISTORIC DOWNTOWN DEVELOPMENT PLAN, 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 Councilwoman McCartney and seconded by Councilwoman Spango, the above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on February 22, 2011.

All members voting "Aye".

Resolution #26-11

Resolution Authorizing Appropriation Reserve Transfer #4

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

All members voting "Aye".

Resolution #27-11

Resolution to Award State Contract Vendor for 2011 Contract for Tires & Tubes to Kirks's Tire Co., 185 Central Avenue, Orange, NJ 07050

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

All members voting "Aye".

On motion made by Councilwoman McCartney and seconded by Councilman Krakoviak, the Council reconvened as the ABC Board.

ABC HEARING

Resolution #454-11

Hearing and Resolution on Applications for Renewal of Plenary Retail Consumption and Distribution Licenses for the 2010-2011 License Term – SUZYQUE’S LLC t/a Suzy Que’s

On motion made by Councilman Cirilo and seconded by Councilwoman Spango, the above ABC Resolution was approved.

All members voting "Aye".

Resolution #455-11

Application for Person to Person Transfer, Plenary Retail Consumption License No. 0722-33-009-010 from 34 South Valley Associates, Inc. to SUZYQUE’S LLC t/a Suzy Que’s

The appropriate fees have been paid and affidavits of publication placed on file.

Following discussion and on motion made by Councilman Krakoviak and seconded by Councilwoman McCartney, the above mentioned transfer and Resolution was approved.

All members voting "Aye".

The minutes of this meeting are on file in the Office of the Municipal Clerk.

On motion made by Council President Anderton and duly seconded, the meeting was adjourned at 11:05 P.M.

All members voting "Aye".

SAL M. ANDERTON, COUNCIL PRESIDENT

KAREN J. CARNEVALE, MUNICIPAL CLERK