

Public Meeting – March 29, 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 6 (Communication), Item 7 (Report), 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.

Althia Tweiten, 15 Edgar Road, West Orange asked the Council and the Administration if a decision was made for a new prosecutor for the Township.

Michele Cadeau, 29 High Street, West Orange commented on recent purchases of homes in West Orange.

Rosary Morelli, 22 Ralph Road, West Orange commented on a recent budget review meeting and stated her concerns about wasteful spending.

Brian Goldberg, Pleasant Valley Way, West Orange commented on a recent budget advisory committee meeting.

Earl Turner, Mt. Pleasant Avenue, West Orange, also commented on a recent budget advisory committee meeting.

Ed Kovaks, 392 St. Cloud Avenue, West Orange, commented on the timers at the tennis courts at Stagg field.

Anthony Pugliesi, Public Information Officer for Essex County, commented on upcoming Essex County events.

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

Minutes

The public minutes of February 22, 2011 were approved as submitted.

Communication

Letter from Mayor Parisi regarding the Appointment of the Honorable Margaret E. Padovano as Municipal Judge of the Municipal Court of West Orange for a three year term effective March 7, 2011 through March 7, 2014.

On motion made by Councilman Cirilo and seconded by Councilwoman McCartney, the Council went into the Committee of the Whole to consider the Appointment of Margaret E. Padovano as Municipal Judge of West Orange for a Three Year Term Effective March 7, 2011 through March 7, 2014.

All members voting "Aye".

On motion made by Councilman Cirilo and seconded by Councilwoman Spango, the Committee of the Whole dissolved itself and reported back favorably on the appointment of Margaret E. Padovano as Municipal Judge.

All members voting "Aye".

On motion made by Councilwoman McCartney and seconded by Councilman Cirilo, the above appointment was approved.

All members voting "Aye".

Report

The Municipal Judge's Report for the Month of February, 2011 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 #59-11

Resolution Authorizing the Return of Escrow Fees Submitted for the Site Plan Application PB-08-22 Property Known as Block 165, Lot 16, 1155 Pleasant Valley Way

Resolution#60-11

Resolution Authorizing the Collector of taxes to Cancel Sewer Charges to the Listed Taxpayers Pursuant to Easement and Right of Way Agreement Between the County of Essex & the Township of West Orange

Resolution #61-11

Resolution Authorizing Raffle Licenses and Silent Auctions

Resolution#62-11

Resolution Authorizing the Mayor to Notify the Essex County Division of Housing & Community Development of the Townships Desire to Participate in the "Urban County" Requalification Process for Program Year 2012-2014

Resolution #63-11

Resolution Authorizing a Contract with A&J Contractors Group, Inc., 105 Federal Road, Monroe Township, NJ in the Amount of \$512,777.50 for the 2009 Phase 1 Street Improvements – Various Streets

Resolution #64-11

Resolution Authorizing a Contract with Frank H. Lehr Associates, 101 South Harrison Street, East Orange for Engineering Services Associated with the Improvement of Nicholas Avenue in the Amount of \$25,450

Resolution #65-11

Resolution Authorizing a Contract with Petry Engineering for Engineering Services Associated with the Improvement of Woodland Avenue in the Amount of \$19,600

Resolution #67-11

Resolution Authorizing Change Order No. 4 for the Reduction of \$74,275.40 from the Total Amount Authorized for the 2009 Phase IV Street Improvements – Various Streets to D.L.S. Contracting Inc. 633 Franklin Avenue, Suite 170, Nutley, NJ

Resolution #68-11

Resolution Authorizing a Fifth Amendment to the Agreement with the NJ Medical School Global Tuberculosis Institute at UMDNJ for the Period Between January 1, 2011 and December 31, 2011 at the Rate of \$4,356 for TB Services

Resolution #69-11

Resolution Authorizing a Subordination of Mortgage for 5 Marshall Street, West Orange, NJ

Resolution #70-11

Resolution Authorizing the Tax Collector to Rebate Payment to Listed Taxpayer Pursuant to Final Judgment by the Tax Court of New Jersey

Resolution #71-11

Resolution Appointing a Medical Director Dr. Anthony Quartell at the Salary of \$1,000 Per Year for the Performance of Medical Assistance, Medical Attendance to and/or Medical Assessments of the Health and/or Injuries of Township Personnel

Resolution #72-11

Resolution Authorizing Change Order No. 1 to All State Technology in the Amount of \$4,350 for the Maintenance of the Three Main Expansion Joints at the Ginny Duenkel Pool

Resolution #74-11

Resolution Authorizing the Chief Financial Officer to Request that the Annual Budget Examination of the 2011 Budget be Conducted by the Division of Local Government Services

Resolution #75-11

Resolution Authorizing Appropriation Transfer 6-10

Resolution #76-11

Resolution – Emergency Temporary Appropriations – 2011

Resolution #77-11

Resolution Combining Bonds Aggregating the Principal Sum of \$11, 505, 00 Authorized by Thirty Six Bond Ordinances Heretofore Adopted to Finance Part of the Cost of Various General Improvements in the Township of West Orange Into One Consolidated Issue of Bonds and Providing for the Form Maturities and Other Details of Said Consolidated Issue

Resolution #78-11

Resolution Authorizing a Professional Services Contract with Hatch Mott MacDonald in the Amount of \$41,346.00 for the Pump Station Improvement in the Mayfair District

Resolution #79-11

Executive Session – Litigation & Personnel

Ordinance on Second and Final Reading

Ordinance #2313-11

On motion made by Councilwoman Spango and seconded by Councilwoman McCartney, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 25, SECTION 46 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE (PLANNING BOARD) TO SET THE TERMS FOR THE ALTERNATE MEMBERS OF THE TOWNSHIP’S PLANNING BOARD, 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 ordinances 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 Councilwoman McCartney 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”.

Ordinances on First Reading

Ordinance #2314-11

On motion made by Councilwoman Spango and seconded by Councilman Krakoviak, AN ORDINANCE AMENDING & SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-7.3, TEMPORARY PARKING PROHIBITION FOR SNOW PLOWING AND REMOVAL SUBSECTION 7-12, PARKING PROHIBITED FOR STREET CLEANING AND MAINTENANCE, SUBSECTION 7-14.1C, NIGHT PARKING RESTRICTED, EXCEPTIONS AND SUBSECTION 7-14.8a, ALTERNATE SIDE OF THE STREET PARKING DURING CERTAIN HOURS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, 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 12, 2011.

All members voting "Aye".

Ordinance #2315-11

On motion made by Councilwoman Spango and seconded by Councilman Krakoviak, An Ordinance Amending and Supplementing Chapter 25-24.1(d) of the Revised General Ordinances of the Township of West Orange, 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 voted down.

All members voting "Aye".

Ordinance #2316-11

On motion made by Councilwoman McCartney and seconded by Councilman Cirilo, CALENDAR YEAR 2011 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 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 April 12, 2011.

All members voting "Aye".

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

All members voting "Aye".

The public meeting continued at this time.

Resolution #66-11

Introduction 2011 Local Municipal Budget

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

All members voting "Aye".

Resolution #73-11

Resolution Authorizing the West Orange Police Department to Initiate \$50.00 Fee for the Annual Junior Police Academy

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

All members voting "Aye".

ABC Hearing

Hearing on Application for a Person to Person Transfer from C.Y. Heritage Inn of West Orange, Inc. (Courtyard) to Apple Nine Hospitality Management, Inc. License No. 0722-36-073-001

All fees were paid for the above transfer and affidavits of publication received.

Charles Sapienza, Esq. attorney for the buyers, responded to questions from Council.

Following discussion and on motion made by Councilwoman McCartney and seconded by Councilman Cirilo, the above mentioned transfer 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 9:58 p.m.

All members voting "Aye".

SAL M. ANDERTON, COUNCIL PRESIDENT

KAREN J. CARNEVALE, MUNICIPAL CLERK