

Public Meeting – October 1, 2013

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 November 29, 2012.

Roll Call:

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

Absent: None

The Township Council identified and presented for unanimous consent, Item 5 (Minutes), Item 8 (Bills) and Item 9 (Certain Resolutions).

On motion made by Councilman Guarino and seconded by Councilwoman Spango, 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.

Christine Bosco, 4 Masson Place, West Orange

Rosary Morelli, Ralph Road, West Orange

Shelley Aronson, 12 Orange Place, West Orange

Gordon Kirk, 82 Riggs Place, West Orange

Ysabel Strowe, 33 Virginia Avenue, West Orange, spoke on behalf of resident of 29 Virginia Avenue

Gerald Davis, 55 Riggs Place, West Orange, spoke on behalf of resident of 82 Riggs Place

Althia Tweiten, Edgar Road, West Orange

Anthony Puglisi, Public Information Officer Essex County

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

The Council President recognized that some residents were in attendance with regard to Ordinance 2386-13, so the ordinance was heard at this time.

Ordinance #2386-13

On motion made by Councilman Guarino and seconded by Councilman Cirilo, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-32.2, RESTRICTED PARKING ZONES, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, 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 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".

Minutes

The Public Minutes of September 17, 2013 were approved as submitted.

Bills

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

Resolutions

The following Resolutions were adopted:

Resolution #187-13

Resolution Authorizing Raffle Licenses

Resolution #188-13

Resolution Authorizing the Township to Acquire the Karam Property, Block 159.08, Lot 53 and the McCann Property, Block 159.08, Lot 55, for a Combined

Total of \$170,000 to be paid for with Grants from the DEP Green Acres Program for the Purposes of Open Space and/or Recreational Use by the Township and/or Its Residents

Resolution #189-13

Resolution Cancelling the Accrued Taxes on the Property Located at 745 Northfield Avenue, Block 166, Lot 13 Due to a Mistaken Assessment

Resolution #190-13

Resolution Authorizing an Award of Contract to Grabowski Construction, Inc., 770 Northfield Avenue, West Orange, NJ in the Amount of \$426,677.00 for the Improvement of Mountain Drive and a Portion of Highwood Road

Resolution #191-13

Resolution Authorizing a Refund of 2012 Overpaid Taxes in the Amount of \$133,155.21 to AMPC Real Estate, 471-475 Prospect Avenue, Block 155, Lot 26.02

Resolution #192-13

Resolution Authorizing an Executive Session to Discuss Litigation-City of Orange Reservoir v. TOWO

Resolution #193-13

Resolution Authorizing the Township of West Orange to Issue a Certificate of Occupancy Permitting the Life Christian Church to Occupy a Limited Portion of the New Facility at 747 Northfield Avenue to House its Administrative Offices During the Pending Construction

Resolution #194-13

Award of Contract to Wolfington Body Company Inc. in the Amount of \$237,008.00 for a total of (4) Passenger Vans

Ordinances on Second and Final Reading

Ordinance #2385-13

On motion made by Councilman Cirilo and seconded by Councilman Guarino, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II, SECTION 2-9, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ENTITLED "DEPARTMENT OF LAW", was taken up on second and final reading.

Councilman Cirilo, Councilman Guarino, Councilwoman Spango and Council President McCartney 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.

Following discussion, a motion to amend the above ordinance was made by Councilman Krakoviak and seconded by Councilman Guarino. The motion was not carried.

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

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

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

Ordinance #2386-13 was voted on previously in the meeting.

Just prior to Ordinance #2387-13 being introduced on second and final reading, it was brought to the attention of the Council President that no public comment took place prior to voting on Ordinance 2385-13, therefore the original vote for final adoption was rescinded and the Council President called for public comment on this ordinance.

Christine Bosco, 4 Masson Place, West Orange

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 Councilman Guarino, the above mentioned ordinance was passed on second and final reading and ordered advertised according to law.

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

Ordinance #2387-13

On motion made by Councilman Guarino and seconded by Councilman Cirilo, AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, TRAFFIC, SUBSECTION 7-10.1 STOPPING OR STANDING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS, SUBSECTION 7-14.3, PARKING TIME LIMITED ON CERTAIN STREETS DURING CERTAIN HOURS OF CERTAIN DAYS AND SUBSECTION 7-25, LOADING ZONE, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, 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 Cirilo and seconded by Councilman Guarino, 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 #2388-13

AN ORDINANCE CREATING CHAPTER 14, SECTION 19 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED "OWNER RESPONSIBILITY FOR RENTAL PROPERTIES", was introduced and passed on first reading.

The Clerk read the ordinance by title only.

On motion made by Councilwoman Spango and seconded by Councilman Guarino, the above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on October 29, 2013.

All members voting "Aye".

Ordinance #2389-13

AN ORDINANCE AMENDING AND REPLACING CHAPTER II, SECTION 2-47.1, et. seq. of THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ENTITLED "ENVIRONMENTAL COMMISSION", was introduced and passed on first reading.

The Clerk read the ordinance by title only.

On motion made by Councilman Cirilo and seconded by Councilman Guarino, the above mentioned ordinance was passed on first reading, ordered advertised

according to law, to come up for second and final reading on October 29, 2013.

All members voting "Aye".

Ordinance #2390-13

AN ORDINANCE AMENDING AN ORDINANCE CREATING A RECLASSIFICATION AND SALARY SCHEDULE OF CERTAIN TOWNSHIP OF WEST ORANGE 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 NJ DEPARTMENT OF CIVIL SERVICES, was introduced and passed on first reading.

The Clerk read the ordinance by title only.

On motion made by Councilman Guarino and seconded by Council President McCartney, the above mentioned ordinance was passed on first reading, ordered advertised according to law, to come up for second and final reading on October 29, 2013.

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

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

All members voting "Aye".

ABC HEARING

510-13 Renewal of Plenary Retail Distribution for the 2013-2014 License Term – The Great Atlantic and Pacific Tea Co., Special Ruling Received in September

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

All members voting "Aye".

511-13 Person to Person Transfer, The Great Atlantic & Pacific Tea Company Inc. (Inactive) to AMI West Orange, LLC , License #0722-44-027-003

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

All members voting "Aye".

On motion made by Councilman Krakoviak and seconded by Councilman Guarino, the Council adjourned as the ABC Board.

All members voting "Aye".

Resolution #180-13

Resolution Authorizing Competitive Contracting for Emergency Medical Services (Postponed from 9/17/13)

John O. Gross, Chief Financial Officer, responded to questions from Council.

Jack Sayers, Business Administrator, responded to questions from Council.

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

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

On motion made by Councilman Guarino and seconded by Councilman Cirilo, the Council went into Executive Session to discuss matters of litigation.

All members voting "Aye"

On motion made by Councilman Cirilo and seconded by Council President McCartney, the Council returned from Executive Session.

All members voting "Aye".

The public meeting continued at this time.

Resolution #195-13

Resolution Authorizing Settlement Payment Resolving Litigation Commenced by O'Donnell McCord, P.C. for Payment of Fees for Services as Special Tax Counsel

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

All members voting "Aye".

A motion made by Council President McCartney and seconded by Councilman Guarino to add Resolution 196-13 to the Agenda, was carried.

All members voting "Aye".

Resolution #196-13

Resolution Authorizing a Settlement Agreement and Release Between the Township of West Orange, the City of Orange and CYFA with Respect to the Orange Reservoir Property, Block 162, Lot 2, Cherry Lane, West Orange

On motion made by Councilman Cirilo and seconded by Councilwoman McCartney, the above mentioned resolution, as amended, was adopted.

All members voting "Aye".

On motion made by Councilman Guarino and seconded by Councilwoman Spango, the meeting was adjourned at 10:51 P.M.

All members voting "Aye".

SUSAN McCARTNEY
COUNCIL PRESIDENT

KAREN J. CARNEVALE
MUNICIPAL CLERK