

MUNICIPAL COUNCIL AGENDA

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ORANGE TOWNSHIP HELD IN THE COUNCIL CHAMBERS, CITY HALL, 29 NORTH DAY STREET, ORANGE, NEW JERSEY ON WEDNESDAY, AUGUST 7, 2019 FOLLOWING THE CONFERENCE MEETING.

1) PLEDGE OF ALLEGIANCE TO THE FLAG

2) ROLL CALL

		PRESENT	ABSENT
Hon. Kerry J. Coley	(East Ward)	_____	_____
Hon. Christopher Jackson	(At-Large)	_____	_____
Hon. Harold J. Johnson, Jr.	(West Ward)	_____	_____
Hon. Jamie Summers-Johnson	(South Ward)	_____	_____
Hon. Donna K. Williams	(At-Large)	_____	_____
Hon. Adrienne Wooten	(At-Large)	_____	_____
Hon. Tency A. Eason	(North Ward)	_____	_____
Council President			

ALSO PRESENT

Joyce L. Lanier, City Clerk	_____	_____
Chris M. Hartwyk, Business Administrator	_____	_____
Gracia R. Montilus, City Attorney	_____	_____
Kenneth M. Douglas, Fire Director	_____	_____
Adrian Mapp, Finance Director	_____	_____
Marty Mayes, Planning/Public Works Director	_____	_____
Todd Warren, Police Director	_____	_____
Marlin G. Townes, Legislative Research Officer	_____	_____
Lisette Sanchez, Records Support Technician	_____	_____

3) The requirement of N.J.S.A. 10:4-9 et. seq., “Sunshine Law” has been met. A notice of this meeting was published in the Star Ledger on July 5, 2019 and the Record-Transcript on July 11, 2019, posted on the Bulletin Board in City Hall and filed in the Office of the City Clerk.

4) APPROVAL OF MEETING MINUTES

May 21, 2019 – Conference and Regular Meeting Minutes

Motion to adopt:

Second:

**June 5, 2019 – Conference and Regular Meeting Minutes
(Council Member Wooten was absent and cannot vote)**

Motion to adopt:

Second:

**June 11, 2019 – Budget Hearing Meeting Minutes
(Council Member Summers-Johnson was absent and cannot vote)**

Motion to adopt:

Second:

**June 13, 2019 – Budget Hearing Meeting Minutes
(Council Member Johnson, Jr. was absent and cannot vote)**

Motion to adopt: Second

June 18, 2019 – Conference and Regular Meeting Minutes

Motion to adopt: Second:

July 1, 2019 – Re-organization Meeting Minutes

Motion to adopt: Second:

5) REPORTS:

DEPARTMENT MONTHLY REVENUE COLLECTION 2019:

- **Department of Planning & Economic Development – Month of March 2019: \$82,879.00**
- **Department of Planning & Economic Development – Month of April 2019: \$65,304.00**
- **Department of Planning & Economic Development – Month of May 2019: \$46,674.00**
- **Department of Planning & Economic Development – Month of June 2019: \$55,643.00**
- **Department of Community Service – Month of June 2019: \$12,327.00**
- **City Clerk’s Office – Month of June 2019: \$5.00**
- **Orange Historic Preservation Commission – Month of June 2019: \$280.00**
- **Orange Historic Preservation Commission – Month of July 2019: \$70.00**

CONSTABLE REPORTS

- **Darnell Brodie - Month of May 2019: No activity**
- **Darnell Brodie - Month of June 2019: No activity**
- **Darnell Brodie - Month of July 2019: No activity**
- **Mohamed Toure – Month of June 2019: No activity**
- **Mohamed Toure – Month of July 2019: No activity**
- **Richard Noisy – Month of June 2019: 06/01/19 monthly meeting and 06/09/19 and 06/23/19 church security.**
- **Richard Noisy – Month of July 2019: 07/06/19 monthly meeting and 07/07/19 and 07/21/19 church security.**

OPRA REPORTS

**Month of June 2019 –97 requests received, 81 completed and 16 pending.
Month of July 2019 – 92 requests received, 62 completed and 30 pending**

COUNCIL REPORTS - Council President directs Clerk to file reports.

6) COMMUNICATIONS AND PETITIONS

- **Letter from the State of New Jersey, Department of Transportation dated June 18, 2019 addressed to Mayor Dwayne Warren, Esq. regarding the executed Agreements for the Project: Various Streets – 2019 – Orange.**

- Letter received from the State of New Jersey, Department of Transportation dated July 15, 2019 addressed to the NJ Department of Environmental Protection, Historic Preservation Office regarding the Highland Avenue Station Rehabilitation.

7) CITIZEN COMMENTS ON GENERAL ISSUES/AGENDA ITEMS

PURSUANT TO SECTION 4-10 OF THE CODE OF THE CITY OF ORANGE TOWNSHIP, EACH PERSON ADDRESSING THE COUNCIL SHALL STEP UP TO THE MICROPHONE, SHALL GIVE HIS OR HER NAME AND ADDRESS IN AN AUDIBLE TONE FOR THE RECORD, AND UNLESS FURTHER TIME IS GRANTED BY THE PRESIDING OFFICER SHALL LIMIT HIS OR HER ADDRESS TO FIVE (5) MINUTES.

THE PUBLIC IS EXPECTED TO CONDUCT THEMSELVES IN A PROPER MANNER, ANY DEROGATORY, ABUSIVE OR THREATENING STATEMENTS WILL NOT BE PERMITTED. THE CHAIR WILL IMMEDIATELY RULE SUCH CONDUCT OUT OF ORDER AND TERMINATE ANY FURTHER COMMENTS.

Motion to Close Citizen Comments: Second:

8) COUNCIL COMMENTS

9) ORDINANCES-SECOND READING/PUBLIC HEARING

24-2019 A refunding bond ordinance authorizing the issuance of not to exceed \$1,565,000 aggregate principal amount of refunding bonds and/or refunding notes by the City of Orange Township, in the County of Essex, State of New Jersey, for the purpose of funding an emergency temporary appropriation for legal judgments. (06/18/2019 PUBLIC HEARING OPEN)

**a) Motion to close citizen comments: Second:
b) Motion for final adoption: Second:**

25-2019 An ordinance rescinding Ordinance No. 36-2018 and terminating the financial agreements with Carthage NJ Arlington LLC for payment in lieu of taxes pertaining to the property identified as Block 491, Lots 18 and 19 on the official tax map of the City.

**a) Motion to close citizen comments: Second:
b) Motion for final adoption: Second:**

27-2019 An ordinance to amend the code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic", Section 46, Schedule XV (Prohibited Turns at Intersections).

**a) Motion to close citizen comments: Second:
b) Motion for final adoption: Second:**

28-2019 An ordinance of the Municipal Council of the City of Orange Township adopting the Lincoln-Highland Avenue Redevelopment & Rehabilitation Plan pursuant to N.J.S.A. 40A:12A-7(e).

- a) Motion to close citizen comments: Second:
 b) Motion for final adoption: Second:

29-2019 A capital ordinance appropriating \$85,000 from the Capital Improvement Fund to pay for energy efficient improvements to various city facilities, in and by the City of Orange Township, in the County of Essex, State of New Jersey.

- a) Motion to close citizen comments: Second:
 b) Motion for final adoption: Second:

30-2019 (WO) An ordinance of the City of Orange Township amending Chapter 4, Administration of Government, Section 4-17.2, Constables, of the City of Orange Township Municipal Code.

- a) Motion to close citizen comments: Second:
 b) Motion for final adoption: Second:

31-2019 An ordinance to amend the code of the City of Orange Township, Chapter 200, "Vehicles and Parking", Article II, entitled "Parking" to further regulate overnight parking of commercial vehicles. (Sponsored by Council Member Kerry J. Coley)

- a) Motion to close citizen comments: Second:
 b) Motion for final adoption: Second:

10) ORDINANCES INTRODUCTION/FIRST READING

26-2019 An ordinance rescinding Ordinance No. 25-2017 and terminating the approval of a tax exemption for a thirty (30) year period and terminating the authorization of an executed financial agreement between the City and Walter G. Alexander Village IV Urban Renewal LLC. (POSTPONED FROM 06/05/2019 AND 06/18/2019 REGULAR MEETINGS)

- a) Motion to adopt on 1st reading: Second:
 b) Final reading: Tuesday, September 3, 2019

32-2019 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled "Vehicles and Traffic", Section 200-10.2, residential permit. (Hickory Street)

- a) Motion to adopt on 1st reading: Second:
 b) Final reading: Tuesday, September 3, 2019

33-2019 An ordinance amending Sections 84.1 of the City of Orange Township Administrative Code relating to Article I, Paraphernalia, Sale and Display restricted. (Sponsored by Council Member Adrienne Wooten)

- a) Motion to adopt on 1st reading: Second:
 b) Final reading: Tuesday, September 3, 2019

34-2019 An ordinance to amend the Code of the City of Orange Township, Chapter 200, entitled “Vehicles and Traffic”, Section 200-10.2, Residential Parking Permit. (Hickory Street)

- a) **Motion to adopt on 1st reading:** **Second:**
- b) **Final reading: Tuesday, September 3, 2019**

11) CONSENT AGENDA

ALL ITEMS LISTED WITH AN ASTERISK (*) ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE OF THE AGENDA.

***182-2019 A resolution rescinding resolution 160-2017 adopted April 25, 2017 authorizing a redevelopment agreement between the City of Orange Township, the Housing Authority for the City of Orange, and the Orange Housing Redevelopment Corporation. (POSTPONED FROM THE 05/21/19, 06/05/2019 AND 06/18/2019 REGULAR MEETINGS)**

***184-2019 A resolution to enter into contact with Mr. Justice Rountree of 360 Poetry Night for spoken word hosting and presentation services in an amount not to exceed \$4,000.00. (POSTPONED FROM THE 05/21/2019, 06/05/2019 AND 06/18/2019 REGULAR MEETINGS)**

RESOLUTION NUMBERS *229-2019 THROUGH *289-2019

***229-2019 A resolution re-appointing Augustus Mitchell as a citizen member to the Public Works Committee of the City of Orange Township. (Sponsored by Council Member Kerry J. Coley)**

***230-2019 A resolution appointing Tom Boran as a citizen member to the Public Works Committee of the City of Orange Township. (Sponsored by Council Member Christopher Jackson)**

***231-2019 A resolution celebrating the life of Katherine Thompson Payne. (Sponsored by Council Member Donna K. Williams)**

***232-2019 A resolution honoring Willie Sumlar for his years of service in Essex County. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)**

***233-2019 A resolution celebrating the life of Salena Lesniak. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)**

***234-2019 A resolution celebrating the life of Anthony J. Trezza, III. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)**

- *235-2019 A resolution honoring Captain James Anderson for his service at the Orange Fire Department. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)**
- *236-2019 A resolution celebrating the life of Detective Louis Alvarez. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)**
- *237-2019 A resolution designating East Orange/Orange Record-Transcript, Star Ledger and Local Talk as the official newspapers for the City of Orange Township, New Jersey.**
- *238-2019 A resolution appointing Council President Tency A. Eason as the liaison to the 2nd River Joint Meeting on behalf of the City of Orange Township.**
- *239-2019 A resolution appointing Council President Tency A. Eason as member of the Planning Board of the City of Orange Township.**
- *240-2019 A resolution appointing Council Members Kerry J. Coley, Donna K. Williams and Adrienne Wooten to the Cable Television Advisory Committee. (Amended)**
- *241-2019 A resolution appointing Council Members Christopher Jackson, Jamie Summers-Johnson and Adrienne Wooten as members of the Human Resources and Personnel Committee of the City of Orange Township. (Amended)**
- *242-2019 A resolution appointing Council Members Adrienne Wooten and Donna K. Williams to the Budget and Finance Committee of the City of Orange Township. (Amended)**
- *243-2019 A resolution in support of the Port Authority of New York and New Jersey's improvements to Newark Airport. (Sponsored by Council Member Donna K. Williams)**
- *244-2019 A resolution approving the Bill List for Council Meeting vote on July 22, 2019 dated July 16, 2019 and approving checks issued by the Finance Department in accordance with Ordinance 2-95. (Grand Total: \$3,157,136.34)**
- *245-2019 A resolution authorizing the cancellation of Tax Sale Certificate No. 16-00042 on Block 1702, Lot 28, 43A William Street in addition to a refund of all accrued interest, penalties and fees to Richard Leonardis in the amount of \$17,298.03.**
- *246-2019 A resolution authorizing an amnesty program to waive 2019 interest for 2019 property taxes, 2019 water charges and 2019 sewer charges from August 8, 2019 through September 30, 2019. (Amended)**
- *247-2019 A resolution authorizing the Tax Collector to refund Block 2101, Lot 27, 47 Cleveland Street a/k/a First Unitarian Church of Essex of Essex County for overpayment of taxes for 2016 and 2018 in the amount of \$11,900.61.**
- *248-2019 A resolution authorizing a refund of one thousand dollars (\$1,000) to Berwyn, LLC, 200 Claremont Avenue, Montclair, NJ 07042 for a Certificate of Habitability Sales Inspection at 52 Berwyn Street, Orange, N.J.**

- *249-2019** A resolution authorizing a refund of one thousand dollars (\$1,000) to KNE Investments, LLC, 200 Claremont Avenue, Montclair, NJ 07042 for a Certificate of Habitability Sales Inspection at 42 Berwyn Street, Orange, N.J.
- *250-2019** A resolution authorizing a refund of four hundred dollars (\$400.00) to Kathleen Roache, 1343 Janette Avenue, Port Saint Lucie, FL 34953 for a Certificate of Habitability Sales Inspection at 355 High Street, Orange, N.J.
- *251-2019** A resolution authorizing the services of the Pennington Law Group, P.C. to represent the City of Orange Township and Anthony M. Carey in the matter of Albanery Cruz-Rodriguez v. City of Orange Township, Anthony M. Carey and John Does 1-10 in an amount not to exceed \$20,000.00 for calendar year 2019.
- *252-2019** A resolution authorizing approval to submit a grant application with the New Jersey Department of Transportation for the City of Orange Township Roadway Improvements for 2020 various street projects.
- *253-2019** A resolution authorizing Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102 to provide professional engineering, surveying, design and construction administration services for the 2019 NJDOT Roadway Improvements to Joyce Street, Forest Street and Christopher Street in an amount not to exceed \$120,000.00.
- *254-2019** A resolution authorizing an emergency agreement for the extension of municipal refuse and recycling collection services to Joseph Smentkowski, Inc., 3 New York Avenue, Jersey City, New Jersey 07307 up to an additional ninety day period commencing July 1, 2019 through September 30, 2019 in the amount not to exceed \$249,729.99.
- *255-2019** A resolution authorizing Louella Enterprises, LLC, d/b/a Enerchange Power & Gas (EP&G), 322 N. Shore Drive, Building 200, Pittsburg, PA 15212 as the sole broker/consultant to assist the City of Orange Township in obtaining price quotes and evaluating competing offers and energy service level agreements.
- *256-2019** A resolution authorizing the Tax Collector to refund Corelogic for overpayments made on Block 6301, Lot 10 a/k/a 474 Willow Street in the amount of \$9,364.66.
- *257-2019** A resolution authorizing Tax Collector to lien properties and bill property owners and collect for reimbursement of expenditures made by the City of Orange Township for emergency order clean-ups.
- *258-2019** A resolution authorizing the services of the Pennington Law Group, P.C. to represent the City of Orange Township in the matter of Estate of Ann Marie Breus by Maria Derosiers, Administratrix Ad Prosequendum, and Maria Derosiers, individually v. Isiah J. Jordan, City of Orange Township, et al., in an amount not to exceed \$25,000.00 for calendar year 2019.

- *259-2019** A resolution authorizing the services of Lamb Kretzer, LLC to represent City of Orange Township in the matter “Kauri D. Taliaferro, Administrator Ad Prosequendum of Safiyyah Scott, deceased v. City of Orange, et al.” in an amount not to exceed \$25,000.00.
- *260-2019** A resolution authorizing additional attorney’s fees to be paid to Scarinci & Hollenbeck, LLP in calendar year 2019 as special counsel with regard to various legal matters and litigation regarding the City of Orange Township by amending Resolution No. 71-2019 from an amount not to exceed \$50,000 to an amount not to exceed \$110,000.00 by authorizing the execution of an addendum allowing for the payment of additional attorney’s fees.
- *261-2019** A resolution granting developer designation for 595 Lincoln Avenue Urban Renewal Entity, LLC as a developer within the Lincoln Avenue Redevelopment Area.
- *262-2019** A resolution authorizing the City of Orange Township to make payment of \$3,500.00 for the 2019 annual membership fee to the Urban Essex Coalition for Smart Growth.
- *263-2019** A resolution accepting grant funds from the 2019 New Jersey Clean Communities Grant Program.
- *264-2019** A resolution amending Resolution No. 141-2019 to authorize additional attorney fees and for David C. Stanziale, LLC as special counsel in calendar year 2019 with regard to Ian Betz v. City of Orange Township, Docket No. ESX-L-4009-17 in an amount not to exceed \$25,000.00.
- *265-2019** A resolution authorizing Maser Consulting, P.A., 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701 to provide professional engineering services and playground equipment inspections to the various playgrounds in an amount not to exceed \$9,800.00.
- *266-2019** A resolution retaining Whipple Azzarello, LLC, as special counsel to represent Tyshammie Cooper in connection with matters pertaining to governmental inquires and investigations regarding the City of Orange Township and its employees in an amount not to exceed \$15,000.00 for calendar year 2019.
- *267-2019** A resolution in celebration of Women’s Equality Day. (Sponsored by Council Member Donna K. Williams and the Orange Municipal Council)
- *268-2019** A resolution authorizing the issuance of not to exceed \$3,000,000 of Tax Anticipation Notes of 2019 of the City of Orange Township, in the County of Essex, State of New Jersey.
- *269-2019** A resolution re-appointing Hashim Garrett, a resident of Orange, New Jersey as a commissioner member to the Housing Authority of the City of Orange Township, New Jersey for a term of five (5) years.
- *270-2019** A resolution celebrating the life of Rita Bragg White. (Sponsored by Council Member Donna K. Williams)

- *271-2019** A resolution appointing Council Members Kerry J. Coley, Christopher Jackson and Harold J. Johnson, Jr. as members to the Policy and Planning Committee of the City of Orange Township.
- *272-2019** A resolution amending Resolution 43-2019 that authorized the award of a non-fair and open contract for financial consulting services to Motivate Capital Markets, LLC, 45 Rockefeller Plaza, Suite 2000, New York, New York 10111 for an amount not to exceed \$60,000.00 for a one year term commencing January 1, 2019 to December 31, 2019 by changing the name of the contracting entity from Motivate Capital Markets, LLC to Rockfleet Financial Services, Inc.
- *273-2019** A resolution authorizing the City of Orange to enter into a contractual agreement with Aurea De Leon for health education services in the Orange and Belleville Health Departments in an amount not to exceed \$3,500.00.
- *274-2019** A resolution authorizing Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102 to provide engineering services relating to the water system in an amount not to exceed \$600,000.00.
- *275-2019** A resolution authorizing an emergency contract to Ryan Industries, LLC, 205 Washington Street #2, Jersey City, NJ 07302 for roof repairs at City Hall where a purchase order was previous granted for \$14,423.00 and Changer Order #1 is needed for additional repairs in an amount of \$6,445.00 totaling an amount not to exceed \$20,868.00.
- *276-2019** A resolution authorizing the purchase of licensed software and product maintenance for managing water and sewer affairs under State Contract M-7003 for the City of Orange Township Public Works & Water Department, from Environmental Research Systems Institute, Inc., 380 New York Street, Redlands, California 92373-8100 in an amount not to exceed \$37,310.00 from July 23, 2019 to July 22, 2022.
- *277-2019** A resolution authorizing the tax collector to refund Union Chapel AIM Church, Block 6702, Lot 11, a/k/a 725 S. Center Street for an overpayment made for water/sewer in the amount of \$523.83.
- *278-2019** A resolution authorizing the tax collector to refund overpayment of real estate taxes paid for 2019 in the amount of \$9,529.06 and to cancel any future tax billings for the premises located at Block 5401, Lot 3 a/k/a 188 Austin Road for 100% totally disabled veteran.
- *279-2019** A resolution authorizing the tax collector to refund Zhilan XIA and Jlan Chen for 2018 overpayment in the amount of \$992.08 for Block 2102, Lot 11 a/k/a 66 Cleveland Street.
- *280-2019** A resolution for the approval to purchase weapons ammunition under the New Jersey State Contract #81297 for the City of Orange Township Police Department from Atlantic Tactical, 763 Corporate Circle, New Cumberland, PA 17070 in an amount not to exceed \$90,000.00.

- *281-2019** A resolution authorizing the public auction of surplus, unserviceable vehicles and/or equipment from the motor fleet of the City of Orange Township Police, Fire and Public Works Departments.
- *282-2019** A resolution seeking authorization from the City Council of the City of Orange Township to pay W.E. Timmerman Company Inc., outstanding invoices totaling eight thousand, six hundred nineteen and thirty eight cents (\$8,619.38) , which has been deemed a confirming order and exceeds the quote threshold amount and subsequently violates the local public contract law.
- *283-2019** A resolution authorizing a refund to Daniel Haag, 130 W. Pleasant Avenue, Suite 386, Maywood, NJ 07607 for a cash performance bond posted in connection to the road opening permit on premises known as 12-20 Canfield Street, Orange New Jersey in the amount of \$4,650.00.
- *284-2019** A resolution for the approval to acquire the service to maintain the lights and radios for the police vehicles under the New Jersey State Contract #83898 for the City of Orange Township Police Department from Northeast Communications, 244 East Union Turnpike, Wharton, New Jersey 07885 in an amount not to exceed \$20,000.00.
- *285-2019** A resolution for the approval to accept services for the maintenance of the Orange Police Department Mobile Support System, Fixed Camera Support and Boss Server Support under the New Jersey State Contract #81330 for the City of Orange Township Police Department from General Sales and Administration, 47 N. Dell Avenue, Kenil, New Jersey 07847 in an amount not to exceed \$6,500.00.
- *286-2019** A resolution amending Resolution 188-2019 authorizing an extension of the contract with Atlantic Uniform, 468 Washington Avenue, Belleville, New Jersey 07109 until June 2019 in an amount not to exceed \$20,000.00 by extending the contract until December 31, 2019 with an additional \$30,000.00 totaling an amount not to exceed \$50,000.00.
- *287-2019** Amending Resolution 395-2016 a resolution awarding a contract with Magic Touch Construction Co., Inc., 59 W. Front Street, Keyport, New Jersey 07735 for electrical services to all municipal owned buildings changing the number of years from two (2) years to three (3) years commencing January 1, 2017 through December 31, 2019 in an amount not to exceed \$82,056.00 per year.
- *288-2019** A resolution for Emergency Temporary Appropriations #5 to the Calendar Year 2019 Budget.
- *289-2019** A resolution approving the bill list for council meeting vote on August 7, 2019 dated August 7, 2019 and approving checks issued by the Finance Department in accordance with Ordinance 2-95 (Grand Total: \$4,372,548.47).

MOTION TO ADOPT CONSENT AGENDA:

SECOND:

12) NEW BUSINESS AND WALK-ON ORDINANCES/RESOLUTIONS

13) **OTHER PENDING BUSINESS**

14) **MOTION TO ADJOURN**

Second:

Adjournment Time: _____

PUBLIC NOTICE

The next City Council Conference and Regular Meeting will be held on Tuesday, September 3, 2019 at City Hall, 29 North Day Street, in the Council Chamber at 7:00 p.m.